

APPENDIX I

TAB L

Sheila Harkins 1/3/05

SHEET 1 PAGE 1

00000
 1 IN THE UNITED STATES DISTRICT COURT
 2 FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
 3
 4 TAMMY KITZMILLER; BRYAN and Civil Action No.
 5 CHRISTY REHN; DEBORAH FENIMORE. 04-CV-2688(M.D.Pa.)
 6 and JOEL LIEB; STEVEN STOUGH;
 7 BETH EVELAND; CYNTHIA SNEATH;
 8 JULIE SMITH; and ARALENE
 9 ("BARRIE") D. and FREDERICK B.
 10 CALLAHAN,
 11 Plaintiffs
 12 vs.
 13 DOVER AREA SCHOOL DISTRICT;
 14 DOVER AREA SCHOOL DISTRICT
 15 BOARD OF DIRECTORS,
 16 Defendants
 17
 18 Deposition of: SHEILA HARKINS
 19 Taken by : Plaintiffs
 20 Date : January 3, 2005, 9:34 a.m.
 21 Place : Dover Area School District
 22 Two School Lane
 23 Dover, Pennsylvania
 24 By : Bethann M. Mulay, Notary Public
 25 Registered Professional Reporter

PAGE 2

00001
 1 APPEARANCES:
 2 PEPPER HAMILTON LLP
 3 By: STEPHEN G. HARVEY, ESQ.
 4 -and-
 5 AMERICANS UNITED FOR SEPARATION OF CHURCH
 6 AND STATE
 7 By: RICHARD B. KATSKEE, ESQ.
 8
 9 For - Plaintiffs
 10
 11 THOMAS MORE LAW CENTER
 12 By: RICHARD THOMPSON, ESQ.
 13 For - Defendants
 14 ALSO PRESENT: David Depew
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

PAGE 3

00002
 1 I N D E X
 2 WITNESS
 3 Examination
 4 SHEILA HARKINS
 5 By Mr. Harvey
 6
 7 EXHIBITS
 8 Plaintiff's Deposition
 9 Exhibit Number Page
 10 1. Complaint 84
 11 2. Answer 84
 12 4. News Library 24
 13 5. Documents Produced by Defendants 85
 14 Bates Numbered 1 through 167
 15 7. Website Page of Thomas More Law Center 111
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

PAGE 4

00003
 1 STIPULATION
 2 It is hereby stipulated by and between
 3 counsel for the respective parties that sealing,
 4 certification and filing are hereby waived; and
 5 all objections except as to the form of the
 6 question are reserved to the time of trial.
 7
 8 SHEILA HARKINS, called as a witness,
 9 having been duly sworn, testified as follows:
 10 EXAMINATION
 11 BY MR. HARVEY:
 12 Q. Good morning, Ms. Harkins. I'm Steve Harvey.
 13 We met in court last week briefly. I'm going to
 14 be conducting your deposition today, and before
 15 we begin, I'd just like to make sure that you
 16 understand the procedure. Is that okay?
 17 A. Yes.
 18 MR. THOMPSON: Before we do that, I'd like
 19 to put a statement on the record, and that is
 20 that the deposition is being taken today
 21 pursuant to a court order authorizing these
 22 depositions for discovery purposes for the
 23 plaintiffs to determine whether they will file a
 24 temporary restraining order.
 25 It is my understanding in conversations

Sheila Harkins 1/3/05

SHEET 2 PAGE 5

00004
 1 with the court and opposing counsel that the
 2 judge wanted the depositions to be limited for
 3 the purposes of determining the origins and
 4 purpose of the policy and what will transpire in
 5 the classroom on January 13, 2005. That is my
 6 understanding of the purpose of this deposition.
 7 It's limited to those things that I've
 8 mentioned. Is that agreeable, Counsel?
 9 MR. HARVEY: I neither agree with that nor
 10 disagree with that. You've made a statement,
 11 and I'm not required to comment upon that.
 12 BY MR. HARVEY:
 13 Q. Ms. Harkins, I'm going to ask you a series of
 14 questions, and you're required to answer my
 15 questions to the best of your knowledge and
 16 ability subject to the oath that you've taken.
 17 Do you understand?
 18 A. Yes.
 19 Q. It's necessary that you answer my questions
 20 audibly so that the court reporter can
 21 understand my words and your words and write
 22 them down. Do you understand that?
 23 A. Yes.
 24 Q. It's necessary that you wait for me to complete
 25 my question before you begin your answer because

PAGE 7

00006
 1 A. Yes.
 2 Q. What did you review?
 3 A. I--
 4 MR. THOMPSON: I'm going to object because
 5 you're getting into attorney-client privilege at
 6 this point and direct my client not to answer
 7 the question unless you're more specific.
 8 BY MR. HARVEY:
 9 Q. Did you review any documents that helped you
 10 remember things that you're going to testify
 11 about today?
 12 A. No.
 13 MR. THOMPSON: Objection. Are you talking
 14 about the conference that the attorney had with
 15 her, or are you talking some other time?
 16 MR. HARVEY: I'm talking about anytime.
 17 A. No. Did I over the whole course of this last
 18 seven months, eight months? Is that what you're
 19 talking?
 20 BY MR. HARVEY:
 21 Q. No. I asked you whether in preparation for this
 22 deposition--
 23 A. No, no.
 24 Q. I'm sorry, it's necessary that you let me finish
 25 my question before you begin your answer.

PAGE 6

00005
 1 she can't write it down if we're both speaking
 2 at the same time. Do you understand?
 3 A. Yes.
 4 Q. Have you done anything to prepare yourself for
 5 today's deposition?
 6 A. No.
 7 Q. Did you meet with your counsel?
 8 A. I got out of bed this morning. That's what I
 9 did.
 10 Q. Did you meet with counsel?
 11 A. No.
 12 Q. Did you review any documents?
 13 A. This morning, no, nothing.
 14 Q. I don't mean just this morning, but to prepare
 15 yourself for the deposition, did you meet with
 16 counsel?
 17 A. Yes.
 18 Q. Who did you meet with?
 19 A. Mr. Thompson and another gentleman, Patrick
 20 Gillen.
 21 Q. When did you meet with them?
 22 A. Last evening.
 23 Q. For how long?
 24 A. Guesstimate, two hours.
 25 Q. Did you review any documents?

PAGE 8

00007
 1 A. I'm sorry.
 2 Q. That's okay. It's a common thing. I'll try to
 3 give you that courtesy, and we may make a
 4 mistake.
 5 A. I'm sorry.
 6 Q. I understand. Was anyone present at that
 7 meeting other than Mr. Thompson and Mr. Gillen
 8 last night?
 9 A. Yes.
 10 Q. Who?
 11 A. Mr. Bonsell, Mr. Buckingham, Dr. Nilsen, Mike
 12 Baksa.
 13 Q. Have you talked with anyone about your
 14 deposition today other than at the meeting that
 15 you attended last night?
 16 A. No.
 17 Q. Do you have any documents in your possession,
 18 and I don't mean necessarily your possession
 19 today, but at your home or at your office that
 20 relate to the subject matter of this lawsuit
 21 such as the intelligent design or the board's
 22 resolution, the theory of evolution? Do you
 23 have any documents in your possession that
 24 relate to those subjects?
 25 A. Yes.

Sheila Harkins 1/3/05

SHEET 3 PAGE 9

00008
 1 Q. What documents do you have?
 2 A. Only those provided by the administration.
 3 Q. Where are those documents?
 4 A. Throughout a mess in my house.
 5 Q. Do you use a computer?
 6 A. Yes, I do.
 7 Q. Do you have documents on your computer such as e-mails that relate to intelligent design or the board's resolution or the theory of evolution?
 8 A. Yes.
 9 Q. Who are the e-mails from?
 10 A. Different people.
 11 Q. Can you tell me who they are?
 12 A. I don't even know all the people. Is that what you're asking? I can't-- I could provide you a copy.
 13 Q. Provide me a copy of what?
 14 A. Of the e-mails.
 15 Q. How many do you think there are?
 16 A. Oh, less than half a dozen, less than, probably three maybe.
 17 Q. What do those e-mails concern?
 18 A. One was a complaint by a teacher in Dallastown that sent a letter to the editor of the paper saying he taught intelligent design and he

PAGE 11

00010
 1 1 no, I do not.
 2 2 Q. Now, you're a member of the school -- the Dover Area School District Board of Directors, correct?
 3 3 A. Yes.
 4 4 Q. How long have you been a member of the board?
 5 5 A. Seven years.
 6 6 Q. You're the president right now?
 7 7 A. Yes.
 8 8 Q. How long have you been president?
 9 9 A. Since one month.
 10 10 Q. Were you ever president at any time in the past?
 11 11 A. No.
 12 12 Q. Have you ever been the head of any committees of the board?
 13 13 A. Yes.
 14 14 Q. What committees?
 15 15 A. You'd have to check back. I couldn't-- We take turns, so.
 16 16 Q. I understand. How about the curriculum committee, have you ever been the head of that?
 17 17 A. I don't think so.
 18 18 Q. Have you ever been on the curriculum committee?
 19 19 A. Yes.
 20 20 Q. How many times?

PAGE 10

00009
 1 1 wanted it published about what he taught and the paper wouldn't publish it.
 2 2 Q. What were the other ones?
 3 3 A. I'm not-- Just comments.
 4 4 Q. So in addition to these e-mails, you also have paper documents in your office at home that relate to the subject of intelligent design--
 5 5 A. Yes, yes.
 6 6 Q. You've got to let me finish. --that relate to intelligent design or the board's resolution or the theory of evolution?
 7 7 A. Yes.
 8 8 Q. MR. THOMPSON: Objection. I don't think she said office. The question was in your office. I don't know if she does have an office.
 9 9 A. Yeah, I do, but it isn't just-- I have papers scattered, yeah. It's not an organized-- Do I have a file, no. Is that what you're asking?
 10 10 BY MR. HARVEY:
 11 11 Q. Did anybody ask you to look through those documents and produce them for purposes of this lawsuit?
 12 12 A. Yes. Someone asked me if I had anything that the administration would not have, and I said,

PAGE 12

00011
 1 1 A. I don't know.
 2 2 Q. What is the curriculum committee?
 3 3 A. It's a chairperson and two other board members.
 4 4 Q. How are the people selected to be on it?
 5 5 A. Every year you are asked to put your name on the list of what committees you would be willing to serve on.
 6 6 Q. Who makes the selection?
 7 7 A. Whoever's the president.
 8 8 Q. You were on the curriculum committee last year?
 9 9 A. Yes.
 10 10 Q. Who selected you to be on that?
 11 11 A. Alan Bonsell.
 12 12 Q. Who was on it with you?
 13 13 A. I believe-- Let's see, it was Bill Buckingham and I believe Casey Brown, I believe.
 14 14 Q. Are you not sure about that?
 15 15 A. Yes, I am not sure about that.
 16 16 Q. Can you tell me why you're not sure about that?
 17 17 A. Committees change all the time, and they even sometimes change throughout the year.
 18 18 Q. Do you work outside of the home?
 19 19 A. No, I do not.
 20 20 Q. Have you ever worked outside the home?
 21 21 A. Yes.

Sheila Harkins 1/3/05

SHEET 4	PAGE 13	PAGE 15
1 00012		1 00014
2 1 Q. When is the most recent time you've worked		2 1 A. No.
3 2 outside the home?		3 2 Q. Did Tina attend Dover Area school?
4 3 A. 1985.		4 3 A. Yes.
5 4 Q. What did you do?		5 4 Q. Were you on the board at the time?
6 5 A. I worked-- I was a buyer with Voith Hydro.		6 5 A. No.
7 6 Q. I'm sorry, I didn't hear that.		7 6 Q. Why are you a member of the school board?
8 7 A. For Voith Hydro.		8 7 A. That's a good question. No one else ran.
9 8 Q. What is Voith Hydro?		9 8 Q. Maybe my question wasn't clear, and I apologize.
10 9 A. They build hydroelectric turbines.		10 9 By the way, if at any point today you don't
11 10 Q. Can you tell me what's the highest level of		11 10 understand one of my questions, would you please
12 11 education that you have -- formal education that		12 11 let me know, and I'll rephrase the question?
13 12 you pursued?		13 12 A. Sure.
14 13 A. Attended some college.		14 13 Q. If you don't hear one of my questions, please do
15 14 Q. Where?		15 14 the same.
16 15 A. York.		16 15 A. Yeah.
17 16 Q. Did you have a course of study there?		17 16 Q. I meant why did you want to become a board
18 17 A. No, just took different courses.		18 17 member?
19 18 Q. I think the court reporter would appreciate it		19 18 A. I have always had an interest in education.
20 19 if you would spell Voith Hydro.		20 19 Q. Do you have any education in education or any
21 20 A. V-o-i-t-h.		21 20 background in education?
22 21 Q. When you said college, you meant York?		22 21 A. No, just an interest.
23 22 A. Prior to that, it had been Allis Chalmers.		23 22 Q. Do you subscribe to any periodicals in the area
24 23 Q. You said the college was York. Is that York		24 23 of education?
25 24 community college?		25 24 A. No.
26 25 A. No. It's just York College.		26 25 Q. Do you attend church, a church?

PAGE 14	PAGE 16
1 00013	1 00015
2 1 Q. Do you have any formal education in the area of	2 1 MR. THOMPSON: Objection. I think that's
3 2 science?	3 2 improper as far as the state of Pennsylvania is
4 3 A. No.	4 3 concerned and also the federal rules of
5 4 Q. Do you have any informal education, any reading	5 4 evidence, Rule 610, getting into someone's
6 5 you've done, any courses that you've studied	6 5 religious beliefs. Just answer that question,
7 6 that you've followed yourself in science?	7 6 but I want the counsel to be aware of my concern
8 7 A. No formal, no.	8 7 in this area.
9 8 Q. I said any informal.	9 8 MR. HARVEY: Just so you know, I'm going to
10 9 A. I'm sorry, no, just reading here and there. Is	10 9 ask her a number of questions about her
11 10 that what you're saying? I have read things	11 10 religious beliefs this morning.
12 11 here and there, but I do not consider myself a	12 11 MR. THOMPSON: I will object to them and
13 12 scientist, no.	13 12 direct her not to answer. Answer that question.
14 13 Q. Do you get any periodicals, scientific	14 13 BY MR. HARVEY:
15 14 periodicals?	15 14 Q. Do you attend a church?
16 15 A. No.	16 15 A. Church per se, no.
17 16 Q. Are you married?	17 16 Q. I don't understand when you say church per se.
18 17 A. Yes.	18 17 What do you mean?
19 18 Q. Can you tell me your husband's name?	19 18 A. I attend a meeting.
20 19 A. William.	20 19 Q. I see. Are you a Quaker?
21 20 Q. Do you have children?	21 20 A. Yes.
22 21 A. Yes.	22 21 Q. Can you tell me what Quaker congregation you're
23 22 Q. Can you tell me their names and ages?	23 22 a member of?
24 23 A. One daughter, Tina. I'm thinking how old she	24 23 A. I'm not a member.
25 24 is. She'd be 36.	25 24 Q. Do you attend a congregation from time to time?
26 25 Q. Any other children?	26 25 A. Yes.

Sheila Harkins 1/3/05

SHEET 5 PAGE 17

1 1 Q. Which one?
 2 2 A. York.
 3 3 Q. Can you give me the full name, York?
 4 4 A. York meeting.
 5 5 Q. Now, I'm going to ask you some questions now
 6 about your religious views as they relate to
 7 evolution and the theory of creation. Are you
 8 familiar with the book of Genesis?
 9 9 A. Yes.
 10 10 Q. Have you ever read it?
 11 11 A. Yes.
 12 12 Q. Do you have a copy of the Bible at home?
 13 13 A. Yes.
 14 14 Q. Do you know what version of the Bible it is?
 15 15 A. I have several.
 16 16 Q. Which ones do you -- would you consult most
 17 regularly?
 18 18 A. Excuse me?
 19 19 Q. If you were going to look at-- Tell me what
 20 versions do you have?
 21 21 A. Is it okay to answer?
 22 MR. THOMPSON: It's a delicate area, but
 23 I'm letting him--
 24 24 A. Okay, I would have say King James, Thompson's.
 25 What is the modern one called? I probably have

PAGE 19

1 1 MR. HARVEY: Any other federal authority
 2 2 other than rules of--
 3 3 MR. THOMPSON: In Mergens it says a
 4 4 person's religious belief is not relevant to the
 5 5 constitutionality of any policy.
 6 6 MR. HARVEY: Mergens, I'm not familiar with
 7 7 Mergens.
 8 8 MR. THOMPSON: That's Board of Education of
 9 9 Westside Community Schools versus Bridget
 10 10 Mergens, 496 US 226.
 11 11 MR. HARVEY: Do you have a page on that?
 12 12 MR. THOMPSON: Yes. I'm quoting at
 13 13 Page 249, even if some legislators -- and this
 14 14 is a quote from the case -- even if some
 15 15 legislators were motivated by a conviction that
 16 16 religious speech in particular was valuable and
 17 17 worthy of protection, that alone would not
 18 18 invalidate the act because what is relevant is
 19 19 the legislative purpose of the statute, not the
 20 20 possibly religious motives of the legislatures
 21 21 who enacted the law. Because the act on its
 22 22 face grants equal access to both secular and
 23 23 religious speech, we think it's clear that the
 24 24 act's purpose was not to endorse or disapprove
 25 25 of religion.

PAGE 18

1 1 three or four different ones.
 2 2 BY MR. HARVEY:
 3 3 Q. The book of Genesis describes creation of the
 4 Heaven and earth and of the light forms. Isn't
 5 that correct?
 6 6 A. Yes.
 7 7 Q. Do you believe in that?
 8 8 MR. THOMPSON: Objection, direct her not to
 9 answer the question.
 10 10 BY MR. HARVEY:
 11 11 Q. Are you going to follow your counsel's
 12 instruction?
 13 13 A. Yes, of course.
 14 14 Q. My next question is, do you believe in a literal
 15 reading of the book of Genesis as it relates to
 16 creation?
 17 17 MR. THOMPSON: Objection, direct her not to
 18 answer the question. Pennsylvania law is clear,
 19 no witness shall be questioned in any judicial
 20 proceeding concerning his religious belief.
 21 Also a similar rule is in the federal rules of
 22 procedure.
 23 23 MR. HARVEY: What federal rule of procedure
 24 is that, Counsel?
 25 25 MR. THOMPSON: Six ten.

PAGE 20

1 1 00019
 2 2 MR. HARVEY: So you're instructing the
 3 witness not to answer the question on the
 4 grounds of relevance?
 5 5 MR. THOMPSON: On the grounds of relevance,
 6 on the grounds of the state statute of
 7 Pennsylvania, and the federal rules.
 8 6 MR. HARVEY: Do you realize that's highly
 9 improper and under the federal rules in
 10 particular in this district as under Judge
 11 Gawthrop's opinion in Hall versus Clifton
 12 Precision to instruct a witness not to answer a
 13 question on any other grounds other than
 14 privilege or to protect--
 15 14 MR. THOMPSON: That's what I said, it's on
 16 privilege. It is a privilege. We're not going
 17 to turn this into an inquisition about what
 18 someone's religious beliefs are.
 19 18 MR. HARVEY: Well, we may have to consult
 20 the court on that, but I'll go on right now.
 21 20 MR. THOMPSON: Absolutely.
 22 21 BY MR. HARVEY:
 23 22 Q. Are you familiar with the theory of evolution?
 24 23 A. Yes.
 25 24 Q. What is the theory of evolution?
 26 25 A. The theory of evolution that all things evolve

Sheila Harkins 1/3/05

SHEET 6 PAGE 21

1 1 is my simple explanation.
 2 2 Q. Are you referring now to the biological theory
 3 3 of evolution?
 4 4 A. I am not a scientist. I cannot give definitions
 5 5 of terms.
 6 6 Q. Can you tell me what your understanding of what
 7 7 the biological theory of evolution is?
 8 8 A. Would be that all things evolve, all living
 9 9 things.
 10 10 Q. Evolve from a common ancestor?
 11 11 A. Evolve.
 12 12 Q. Do you have an understanding about whether the
 13 13 biological theory of evolution holds as a
 14 14 proposition that all living life forms are
 15 15 derived from a common ancestor?
 16 16 MR. THOMPSON: That's been asked and
 17 17 answered. She's not a scientist. She's
 18 18 indicated that her own theory is things evolve
 19 19 and she hasn't gotten any further than that.
 20 20 She's indicated she doesn't know what the
 21 21 biological theory of evolution is.
 22 22 MR. HARVEY: Counsel, you are out of line
 23 23 here. We are conducting a deposition in
 24 24 accordance with the federal rules of civil
 25 25 procedure, and the rules are very clear that all

PAGE 23

1 1 00022 throughout the day and objection-- I'd like to
 2 2 3 proceed on that basis.
 3 3 4 MR. HARVEY: Can you read back the last
 4 4 question and answer.
 5 5 6 (The court reporter read the previous
 6 6 7 question.)
 7 7 BY MR. HARVEY:
 8 8 Q. Can you please answer that question?
 9 9 A. I don't know.
 10 10 Q. Does the theory of evolution in your mind
 11 11 conflict with your religious views?
 12 12 A. No, it does not.
 13 13 Q. Have you ever had any conversations with anybody
 14 14 on the school board about whether the theory of
 15 15 evolution conflicts with your personal religious
 16 16 views?
 17 17 A. No, I have not.
 18 18 Q. The school board members on October 18th were in
 19 19 addition to you Mr. Buckingham, Ms. Geesey,
 20 20 Mr. Wenrich, Mr. Bonsell, both Mr. and
 21 21 Mrs. Brown, Ms. Yingling, and Ms. Cleaver. Am I
 22 22 correct?
 23 23 A. I don't know. I believe you.
 24 24 Q. I believe that's the case. You don't understand
 25 25 me to be wrong about that?

PAGE 22

1 1 00021 objections are to be concise in a
 2 2 nonargumentative manner and that speaking
 3 3 objections are entirely improper. You're
 4 4 disrupting the deposition. We only have a
 5 5 certain amount of time today. I request that
 6 6 you please do not make speaking objections.
 7 7 Your objections should be objection to the form
 8 8 of the question. If I want to know the basis
 9 9 for your objection, I will ask you.

10 10 MR. THOMPSON: First of all, I'm not going
 11 11 to take a lecture from you, okay. She answered
 12 12 the question twice, and you keep on asking her
 13 13 what is her understanding of the theory of
 14 14 biological evolution. She says she doesn't
 15 15 know. She says she's not a scientist.

16 16 MR. HARVEY: I am not talking about the
 17 17 witness's answer right now. I'm talking about
 18 18 your conduct at this deposition. You are not to
 19 19 interrupt the deposition with your
 20 20 argumentative, speaking objections. Objection
 21 21 should be as to the form of the question, and if
 22 22 you feel that you need to instruct the witness
 23 23 not to answer, you may do so. And we can bring
 24 24 those issues up with the court. But it's not
 25 25 proper to interject with speaking objections

PAGE 24

1 1 00023 I don't understand you to be wrong. I don't
 2 2 3 know that, but I believe you.
 3 3 4 Have you ever had any conversations with any of
 4 4 5 those people about whether the theory of
 5 5 6 evolution conflicts with their personal
 6 6 7 religious views?
 7 7 8 No, I have not.
 8 8 9 Have any of those people ever shared with you
 9 9 10 their personal views on their religious views as
 10 10 11 it relates to the theory of evolution?
 11 11 A. No.
 12 12 (Plaintiff's Deposition Exhibit #4 marked
 13 13 for identification)
 14 14 BY MR. HARVEY:
 15 15 Q. Ms. Harkins, I've just handed you what's been
 16 16 marked as Plaintiff's Exhibit 4. There's no
 17 17 need for you to look at it right now. It's a
 18 18 long exhibit.
 19 19 A. Do you want me to read this?
 20 20 Q. No, no. Just bear with me for just a second.
 21 21 I'm not asking you to read this right now. I
 22 22 may ask you to refer to portions of this
 23 23 throughout my questioning. And I'll tell you
 24 24 right now it's a compendium of articles from the
 25 25 York Daily Record and The York Dispatch over the

Sheila Harkins 1/3/05

SHEET 7 PAGE 25

1 00024
 2 1 past year. I don't know if it's every article
 3 2 that relates to the subject that led up to this
 4 3 lawsuit, but it's certainly a number of them.
 5 4 You are aware that the board's deliberations
 6 5 over the last year about the biology curriculum
 7 6 have generated a certain amount of press?
 8 7 A. Yes.
 9 8 Q. Do you read a newspaper on a daily basis?
 10 9 A. Yes.
 11 10 Q. Which one do you read?
 12 11 A. York Daily Record.
 13 12 Q. Do you ever read The York Dispatch?
 14 13 A. Rarely.
 15 14 Q. Why do you read the York Daily Record as opposed
 16 15 to The York Dispatch?
 17 16 A. That's the one that comes to my door.
 18 17 Q. Is the Daily Record the morning paper?
 19 18 A. Yes.
 20 19 Q. Are you aware that the York Daily Record has
 21 20 followed the board's actions over the past year
 22 21 on the subject of the biology curriculum and had
 23 22 quite a number of articles on that?
 24 23 A. Followed or made it up?
 25 24 Q. There's been reporting on it.
 26 25 A. Yes.

PAGE 26

1 00025
 2 1 Q. Have you ever contacted anyone at the paper to
 3 2 tell them that the reporting is incorrect?
 4 3 A. I have yelled at Joe Maldonado occasionally.
 5 4 Q. Tell me on how many occasions have you done
 6 5 that?
 7 6 A. I couldn't count.
 8 7 Q. More than five?
 9 8 A. Probably.
 10 9 Q. Do you remember the things that you yelled at
 11 10 him about?
 12 11 A. I couldn't even-- Many different topics.
 13 12 Q. Why did you yell at him?
 14 13 A. Because he's a lousy reporter.
 15 14 Q. Why is he a lousy reporter?
 16 15 A. He never reports what's said, rarely I should
 17 16 say.
 18 17 Q. Did you yell at him for the press coverage that
 19 18 relates to the subject of the board's
 20 19 deliberations about the biology curriculum?
 21 20 A. Yes. But by that point I was getting tired of
 22 21 him, and so I was telling him just stay away
 23 22 from me.
 24 23 Q. Are you aware of anything in particular that was
 25 24 reported over the past year by the York Daily
 25 Record that you believe was incorrect?

PAGE 27

1 00026
 2 1 A. I can't even think of all things.
 3 2 Q. Can you think of any of the things?
 4 3 A. Well, when we were discussing deliberating the
 5 4 under God in the Pledge, his reporting was
 6 5 askew.
 7 6 Q. Anything else that you can remember that you
 8 7 read in the York Daily Record that you believe
 9 8 was incorrect?
 10 9 A. There were some things about Angie Yingling that
 11 10 were incorrect.
 12 11 Q. What things about Angie Yingling?
 13 12 A. I don't remember the specifics, but I remember
 14 13 they were about Angie and they were totally
 15 14 false that he reported.
 16 15 Q. Anything else other than what you've just told
 17 16 me about under God in the Pledge and things that
 18 17 were reported by Angie Yingling that you believe
 19 18 were reported incorrectly?
 20 19 A. Not topics, no.
 21 20 Q. Now, I'd like to go and ask you a question
 22 21 starting about some events that began in June of
 23 22 this past year. Do you remember there was a
 24 23 board meeting on June the 7th?
 25 24 A. I believe you. Do I remember the board
 25 specifically, no.

PAGE 28

1 00027
 2 1 Q. The York Dispatch -- and I know that's not the
 3 2 one you read, but I'm going to refer to it --
 4 3 reported that a biology textbook for the Dover
 5 4 Area School District was put on hold because it
 6 5 didn't affect creationism. That was reported.
 7 6 A. No, that's not true.
 8 7 MR. THOMPSON: Could you refer to the--
 9 8 Are you looking at a particular article?
 10 9 MR. HARVEY: I am. But I'm not going--
 11 10 I'm off that question for now. If you're
 12 11 interested, it's The York Dispatch of June 8th.
 13 12 A. I'm telling you that's not true.
 14 13 BY MR. HARVEY:
 15 14 Q. Well, tell me what did happen.
 16 15 A. No discussion had ever been made on the biology
 17 16 book as far as I was concerned about curriculum.
 18 17 Q. Well, can you tell me the issues that led up to
 19 18 the board's resolution of October the 18th
 20 19 regarding intelligent design-- Do you know what
 21 20 I'm talking about?
 22 21 A. Yes.
 23 22 Q. --began with consideration of a new biology
 24 23 textbook?
 25 24 A. No, I don't think that's true at all.
 25 Q. How did it begin?

Sheila Harkins 1/3/05

SHEET 8 PAGE 29
1 00028

2 1 A. I believe those were two separate issues.
 3 2 Q. Well, let's talk about the biology textbook for
 4 3 just a second. Do you remember consideration
 5 4 about buying a new biology textbook for the
 6 5 school this past year?
 7 6 A. Yes.
 8 7 Q. When did that discussion about that first begin?
 9 8 A. Two years ago.
 10 9 Q. When? What happened two years ago?
 11 10 A. A parent came in and complained that their
 12 11 student didn't have a biology textbook.
 13 12 Q. Then what happened?
 14 13 A. We looked into it, and the teacher said, yes,
 15 14 they do. And then last year Barrie Callahan
 16 15 came before the board and complained that her
 17 16 child did not have a biology textbook, and we
 18 17 said that we were told that they did. And
 19 18 looking into it, we found out the textbooks that
 20 19 we had bought the biology department they were
 21 20 not using. And when we asked why, they said the
 22 21 books that we bought them they had initially
 23 22 asked-- Or they had only reviewed one chapter
 24 23 of the books. And when they got the books in,
 25 24 they didn't like the books that they asked for,
 26 25 did not want to come back to the board and tell

PAGE 31
1 00030

2 1 the books.
 3 2 Q. Did the school district board of directors
 4 3 discuss the approval of a new book?
 5 4 A. Yes.
 6 5 Q. When did that happen?
 7 6 A. I don't know.
 8 7 Q. Why don't you know?
 9 8 A. Because I don't know.
 10 9 Q. When does the school district board of directors
 11 10 meet, how often?
 12 11 A. Generally the first and second Tuesday of the
 13 12 month -- or Monday of the month, excuse me,
 14 13 Monday of the month.
 15 14 Q. Does it meet during the summer months?
 16 15 A. Sometimes maybe once, sometimes not, maybe once
 17 16 a month maybe.
 18 17 Q. Do you remember any board meetings before June
 19 18 -- before the summer at which the biology
 20 19 textbook was discussed?
 21 20 A. Board meetings?
 22 21 Q. Yes.
 23 22 A. No, I'm sorry, I don't remember.
 24 23 Q. I'd like to ask you now to turn to this document
 25 24 that you have in front of you. It's in
 26 25 chronological order. And if you will turn to

PAGE 30
1 00029

2 1 us that they picked books that they couldn't
 3 2 use, so they opted just to put the books in the
 4 3 cupboard.
 5 4 Q. And then what happened?
 6 5 A. And they ended up using just supplemental
 7 6 material they told us. So we said, you've got
 8 7 to have a book, parents are complaining, we
 9 8 don't have books. Also we have a cycle, and it
 10 9 was coming up on the cycle of buying them. So
 11 10 we told them pick a book.
 12 11 Q. Who did you tell this to?
 13 12 A. The biology department. The administration
 14 13 relayed the information to them.
 15 14 Q. Then what happened?
 16 15 A. They picked a book.
 17 16 Q. What was the book?
 18 17 A. The same one they got here, only the previous
 19 18 edition.
 20 19 Q. When was this?
 21 20 A. I believe June.
 22 21 Q. Then what happened?
 23 22 A. We ordered the book. The 2002 was on its way,
 24 23 and it was sent back, and the 2004 was gotten.
 25 24 Q. Who ordered the book?
 26 25 A. I believe Mike Baksa. I don't know who orders

PAGE 32
1 00031

2 1 there's a York Dispatch article on June the 9th.
 3 2 A. This all says 12/31/04.
 4 3 Q. Well, that's the date that I printed it out.
 5 4 A. Well, what--
 6 5 Q. I'll tell you what, I'll help you out here.
 7 6 I'll represent to you I took these articles
 8 7 right off the computer right off their website,
 9 8 so.
 10 9 A. Okay.
 11 10 Q. If you'll look in this article, the second
 12 11 paragraph says--
 13 12 A. Wait a minute. I'm just trying to find your
 14 13 date. June 9th?
 15 14 Q. Yes.
 16 15 A. Okay.
 17 16 Q. York Dispatch, do you see that?
 18 17 A. Okay.
 19 18 Q. The second paragraph says that William
 20 19 Buckingham, a board member and head of the
 21 20 curriculum committee, said this week he was
 22 21 disturbed by a proposed high school biology
 23 22 textbook, the 2002 edition of Prentice Hall
 24 23 Biology because it was laced with Darwinism.
 25 24 A. Okay.
 26 25 Q. Did you ever hear Mr. Buckingham say that?

Sheila Harkins 1/3/05

SHEET 9 PAGE 33

1 A. I'm not sure.
 2 Q. Do you mean you don't remember?
 3 A. I believe he may have said that, okay.
 4 Q. If you look down for the three paragraphs after
 that, it says, a recommendation on the book will
 come from the curriculum committee which also
 includes board members Sheila Harkins and Casey
 Brown. Buckingham said the committee would look
 for a book that presented both creationism and
 evolution. Did I read that correctly?
 11 A. Yes.
 12 Q. Do you ever remember him saying that?
 13 A. No.
 14 Q. Do you remember him saying anything like that?
 15 A. No. But I can't dispute it. We never looked
 for a book that included both creationism and
 evolution, never.
 18 Q. The question is, did he ever say that to you,
 that he was looking for a book that included
 both?
 21 A. Not to my recollection.
 22 Q. Did Mr. Buckingham to your knowledge ever say
 that the separation of church and state is a
 myth or words to that effect?
 25 A. I don't know, but I can't dispute it. Is that

PAGE 35

00034

2 Q. Now, having read those articles, do you remember
 3 a board meeting on or about June the 8th?
 4 A. Yes.
 5 Q. Do you remember the discussions that occurred at
 that meeting about the biology textbook?
 6 A. Yes, I remember what I said here, and that was
 pretty much true. I didn't say hardly used. I
 said it was new, I think.
 9 Q. Where are you referring then?
 10 A. Down here where it says that she didn't think
 the high school needed a new textbook. I did, I
 said I don't think they need a new one. The new
 one-- We have 220 new books there.
 14 Q. Do you remember what the other board members
 said on the subject of the new biology textbook?
 16 A. There was a long discussion, a very long
 discussion.
 18 Q. Do you remember what anyone said?
 19 A. Not specifically.
 20 Q. Do you remember anybody talking about
 creationism?
 21 A. No.
 23 Q. Do you remember anybody talking about-- Do you
 remember Mr. Buckingham saying that-- And I'm
 referring now to the York Daily Record article

PAGE 34

00033

1 what you're asking me?
 2 Q. I'm asking you if you have ever heard him say
 that or words to that effect?
 3 A. I'm not sure.
 5 Q. You mean you don't remember?
 6 A. Yes.
 7 Q. Is it possible that he might have said things
 like that and you just don't--
 9 A. It's possible.
 10 Q. This article is reporting on a meeting of the
 school board on June the 8th of 2004. Would you
 please take a moment to look at this article,
 just read it.

MR. THOMPSON: You're referring to the
 June 9th, 2004?

MR. HARVEY: Yes, I am, and actually to the
 article that immediately follows it which is
 from the York Daily Record.

A. Who's Boston? It says Boston said.

BY MR. HARVEY:

Q. I'm sorry, just-- I can't-- I don't know
 anything except what's written in that article,
 so if you would just read that, and then I can
 ask you a couple questions.

A. Okay.

PAGE 36

00035

1 of June the 9th in the third paragraph.
 2 A. Wait a minute, maybe I didn't read it all. I
 only read York Dispatch.
 3 Q. Please read the next article as well.
 5 A. I'm sorry, I thought you said York Dispatch
 article.
 7 Q. I apologize. I think I did say that, but please
 read the Dispatch article. Have you had a
 chance to read that?
 9 A. Yes.
 11 Q. Now, you've read the June 9th article from The
 York Dispatch and the June 9th article from the
 Daily Record, correct?
 13 A. Correct.
 15 Q. Does reading those articles help you remember
 the things that were said by any of the board
 members about the biology textbook or--
 17 A. I question even if Joe Maldonaldo was even
 there.
 19 Q. Ma'am, let me finish my question. Then you can
 answer. My question to you is, does this help
 you remember anything that was said at the board
 meeting that was held on or about June the 8th?
 23 A. I can't say that it does, no.
 25 Q. Do you remember that, and I'm referring now to

Sheila Harkins 1/3/05

SHEET 10 PAGE 37

1 00036
 2 1 the York Daily Record article of June 9th in the
 3 2 third paragraph, do you remember Mr. Buckingham
 4 3 saying the book Biology had been under
 5 4 consideration but was declined because of its
 6 5 one-sided reference to evolution?
 7 6 A. I don't believe he said that.
 8 7 Q. You have no recollection of that?
 9 8 A. I don't believe he said it.
 10 9 Q. Why don't you believe he said that?
 11 10 A. Because I don't believe anything Joe Maldonaldo
 12 11 writes.
 13 12 Q. The next paragraph says, again quoting
 14 13 Mr. Buckingham, it's inexcusable to teach from a
 15 14 book that says man descended from apes and
 16 15 monkeys. We want a book that gives balanced
 17 16 education. Do you remember him saying that?
 18 17 A. I don't believe he said it.
 19 18 Q. You have no recollection of him saying that?
 20 19 A. No.
 21 20 Q. I'm sorry, then what is your answer?
 22 21 A. I don't believe he said it.
 23 22 Q. I'm asking you if you remember Mr. Buckingham
 24 23 saying that.
 25 24 A. No.
 26 25 Q. You don't remember that?

PAGE 39

1 00038
 2 1 Q. Why do you believe that not to be true?
 3 2 A. Because I was a part of the curriculum
 4 3 committee, and I've never had anyone ever talk
 5 4 about looking for a book of creationism and
 6 5 evolution.
 7 6 Q. What is creationism?
 8 7 A. I think it has many meanings to many different
 9 8 people.
 10 9 Q. Do you have an understanding of it for yourself?
 11 10 A. No.
 12 11 Q. If you go down to the paragraph that's at the
 13 12 bottom of the page, it says, Board President
 14 13 Alan Bonsell disagreed saying there were only
 15 14 two theories, creationism and evolution, that
 16 15 could possibly be taught. He said as long as
 17 16 both were taught as theories there would be no
 18 17 problems for the district. Do you see those
 19 18 words?
 20 19 A. Yes.
 21 20 Q. Do you remember anyone at the board meeting on
 22 21 or about June 8th saying anything like that?
 23 22 A. No, I have no recollection.
 24 23 Q. Do you remember anyone saying anything like that
 25 24 at any time?
 26 25 A. No.

PAGE 38

1 00037
 2 1 A. I don't remember that.
 3 2 MR. THOMPSON: Objection. I think that's a
 4 3 mischaracterization. She said, I don't believe
 5 4 he said it. It's different than I don't
 6 5 remember.
 7 6 MR. HARVEY: That's why I was trying to get
 8 7 clarification on that.
 9 8 A. I don't believe he said that.
 10 9 BY MR. HARVEY:
 11 10 Q. I understand that. And you don't believe that
 12 11 because you said already you don't believe what
 13 12 Mr. Maldonaldo writes, correct?
 14 13 A. Correct.
 15 14 Q. But I'm asking you if you have any recollection
 16 15 of him saying that or anything like that?
 17 16 A. No, I have no recollection of him saying
 18 17 anything like that.
 19 18 Q. The next paragraph says, Buckingham and other
 20 19 board members are looking for a book that
 21 20 teaches creationism and evolution. Do you see
 22 21 that?
 23 22 A. Yes.
 24 23 Q. Do you remember anybody at the board meeting
 25 24 saying anything like that?
 26 25 A. No. And I believe that not to be true.

PAGE 40

1 00039
 2 1 Q. If you go down a little bit further to the
 3 2 second to the last paragraph it says, after the
 4 3 meeting, Buckingham said all he wants is a book
 5 4 that offers balance between what he said are
 6 5 Christian views of creationism and evolution.
 7 6 Do you see that?
 8 7 A. Yes.
 9 8 Q. Do you recall Mr. Buckingham or anyone at the
 10 9 board saying anything like that?
 11 10 A. No.
 12 11 Q. If you go to the last paragraph, it says,
 13 12 quotes, he said there needn't be consideration
 14 13 of the beliefs of Hindus, Buddhists, Muslims or
 15 14 other faiths and views, direct quote, this
 16 15 country wasn't founded on Muslim beliefs or
 17 16 evolution, close quotes, he said. Open quotes,
 18 17 this country was founded on Christianity, and
 19 18 our students should be taught as such, close
 20 19 quotes. Did I read that correctly?
 21 20 A. You read that correctly.
 22 21 Q. Do you remember Mr. Buckingham or anyone saying
 23 22 anything like that at any time?
 24 23 A. Yes.
 25 24 Q. When was that?
 26 25 A. He said it the first week of November a year

Sheila Harkins 1/3/05

SHEET 11 PAGE 41
00040

1 ago, the only time he ever said that.
 2 Q. What was that in the context of?
 3 A. The under God in the Pledge of Allegiance.
 4 Q. What was the-- Did the board consider the
 5 Pledge of Allegiance and under God?
 6 A. Yes.
 7 Q. When was that?
 8 A. The first Monday of November a year ago. It was
 9 the day before election when Bill Buckingham was
 10 up for election.
 11 Q. Did the board discuss the Pledge of Allegiance?
 12 A. Yes.
 13 Q. What was the discussion about?
 14 A. Issuing a referendum supporting the under God.
 15 Q. Mr. Buckingham was a member of the board at that
 16 time?
 17 A. That is correct.
 18 Q. He was up for reelection?
 19 A. That is correct.
 20 Q. What did he say that you recall?
 21 A. He made this statement.
 22 Q. When you say made this statement, the one
 23 that's--
 24 A. He made several statements.
 25 Q. Can you tell me generally what those statements

PAGE 43
00042

1 somebody died for you on the cross statement to
 2 me. And I'm only-- My recollection of the
 3 conversation, Jeff said, Brown, said are you
 4 trying to say under God in the Pledge means a
 5 Christian God and then to which this comment
 6 Bill Buckingham made.
 7 Q. When you say this comment, you mean the comment
 8 I read about Hindus, Buddhists, and Muslims?
 9 A. That's correct.
 10 Q. Mr. Buckingham also said something about was it
 11 2,000 years ago a man died on a cross, can't
 12 someone take a stand for him?
 13 A. Yes, that's correct. He said it to me.
 14 Q. Was that in an open public board meeting?
 15 A. Yes, it was.
 16 Q. And the statement about the Hindus, Buddhists,
 17 and Muslims, was that in an open public board
 18 meeting?
 19 A. Yes, it was.
 20 Q. Did anyone else at the board comment on those
 21 statements?
 22 A. Casey. Casey, also. I don't remember exactly
 23 what Casey-- But Casey was.
 24 MR. THOMPSON: Would you give the full
 25 name.

PAGE 42
00041

1 were, not exact quotes obviously?
 2 A. Yes, because he and I were the ones that had the
 3 disagreement including Jeff Brown and Casey
 4 Brown.
 5 Q. What was the disagreement?
 6 A. Under God on the Pledge.
 7 Q. Some people wanted it. I don't understand.
 8 A. What was the--
 9 A. Supporting under God in the Pledge.
 10 Q. And some people were for that, and some people
 11 were against it?
 12 A. That's correct.
 13 Q. Who was for it?
 14 A. Everybody but Jeff, Casey, I think and myself.
 15 Q. Mr. Buckingham was for this referendum
 16 supporting under God in the Pledge of
 17 Allegiance?
 18 A. That's correct.
 19 Q. What did he say in that context that was similar
 20 to the statement that we looked at that I just
 21 read a few minutes ago?
 22 A. He said to me because I let him know I did not
 23 support it-- I didn't feel it was in the
 24 purview of the board to be addressing the issue.
 25 Q. That is when he made his 2,000 years ago

PAGE 44
00043

1 A. I'm sorry, Casey Brown was in on the
 2 disagreement.
 3 BY MR. HARVEY:
 4 Q. What was her view?
 5 A. Her view was she could not support personally
 6 the resolution. She ended up the following week
 7 voting for it but bawling her eyes out.
 8 Q. Did any of the other board members speak up on
 9 the subject?
 10 A. They were not in on the disagreement.
 11 Q. Did they speak on the subject of the
 12 disagreement?
 13 A. I don't recall. I don't recall.
 14 Q. Did they speak in favor of having the words of
 15 the--
 16 A. Noel Wenrich made some comments, but I don't
 17 recall what his comments were because I believe
 18 Noel Wenrich was the one that proposed the
 19 motion for the resolution.
 20 Q. Now, the statement that we just read a couple
 21 minutes from the York Daily Record on June 9
 22 said that this was said on or about June the
 23 8th.
 24 A. It wasn't said then.
 25 Q. How do you know that?

Sheila Harkins 1/3/05

SHEET 12 PAGE 45
1 00044

2 1 A. He only said it once. Once was too much.
 3 2 Q. In other words, you didn't hear him say -- make
 4 3 this statement at the board meeting on or about
 5 4 June 8th. Is that correct?
 6 5 A. That is correct.
 7 6 Q. You did hear him say that in or around November
 8 7 of 2003, correct?
 9 8 A. You better believe it.
 10 9 Q. To the best of your knowledge, he didn't make
 11 10 this statement again on June 8th?
 12 11 A. That's correct. I believe Joe Maldonaldo dug
 13 12 into his notes for it over the past.
 14 13 Q. Now, if you just turn the page to the next
 15 14 article, and you don't need to read the entire
 16 15 article because I'm not going to ask you
 17 16 questions about the entire article. I'm just
 18 17 going to ask you about the fourth, fifth, and
 19 18 sixth paragraph on the first page. I'm
 20 19 referring to the York Daily Record article of
 21 20 June the 10th.
 22 21 A. This makes no sense because I don't know who
 23 22 Bowman is.
 24 23 Q. As I said, I'm just going to ask you questions
 25 24 about the-- The third paragraph says, during
 26 25 this past Monday night's board meeting, board

PAGE 47
1 00046

2 1 A. No, I have no recollection of that.
 3 2 Q. Well, let me just see if I just-- Do you
 4 3 remember any board meeting in June at which the
 5 4 biology textbook was discussed?
 6 5 A. Yes, it was discussed, yes.
 7 6 Q. You told me before what you remember about your
 8 7 own views, that they already had a textbook and
 9 8 they didn't need a new one, correct?
 10 9 A. Correct.
 11 10 Q. Do you remember any other discussion about the
 12 11 biology textbook other than what your own views
 13 12 were?
 14 13 A. There could have been other comments made, and I
 15 14 believe there were, but I don't recollect what
 16 15 they were.
 17 16 Q. At all?
 18 17 A. I was only concerned with my issue.
 19 18 Q. I understand, but do you have any recollection
 20 19 at all about what the other comments were about
 21 20 the biology textbook in June of 2004?
 22 21 A. I'm not sure.
 23 22 Q. Just to be clear, you have no real memory
 24 23 whatsoever about what other people thought or
 25 24 said on the board about the biology textbook?
 26 25 A. I was focused on my own issue.

PAGE 46
1 00045

2 1 members Alan Bonsell, Noel Wenrich, and
 3 2 Buckingham spoke aggressively in favor of having
 4 3 a biology book that includes theory of creation
 5 4 as part of the text. Next paragraph, all I'm
 6 5 asking for is balance Buckingham said.
 7 6 Next paragraph, asked if he thought this
 8 7 might violate the separation of church and
 9 8 state, Buckingham called the law, quotes, a
 10 9 myth, close quotes. Did I read that correctly?
 11 10 A. Yes, you read that correctly.
 12 11 Q. Now, do you remember, and I know I've asked you
 13 12 about this already, but any discussion at this
 14 13 board meeting or any board meeting where
 15 14 Mr. Bonsell, Mr. Wenrich, and Mr. Buckingham
 16 15 spoke aggressively or otherwise in favor of
 17 16 having a biology book that includes theories of
 18 17 creation as part of the text?
 19 18 A. I have no recollection of that.
 20 19 Q. Do you remember Mr. Buckingham ever saying all
 21 20 I'm asking for is balance?
 22 21 A. No, I do not recollect that.
 23 22 Q. I already asked you and you already told me that
 24 23 you do not believe that he said -- you don't
 25 24 recall him ever saying that the separation of
 26 25 church and state was a myth, correct?

PAGE 48
1 00047

2 1 Q. I completely understand that. I just want to
 3 2 make sure that we're not missing anything here.
 4 3 You have no memory whatsoever of what anybody
 5 4 else said?
 6 5 A. I can't-- I'm not sure what anyone else said.
 7 6 Q. Do you have even any vague recollection of what
 8 7 anybody else said?
 9 8 A. No, I'm not-- I have no vague recollection.
 10 9 I'm sorry.
 11 10 Q. Now, if you'll turn to the next page of the
 12 11 exhibit, it's a York Dispatch article from June
 13 12 the 11th.
 14 13 A. Which page?
 15 14 Q. Actually you don't read The York Dispatch, so
 16 15 I'm going to go on to the page after that. I'm
 17 16 sorry, it's the York Daily Record article from
 18 17 June the 14th of 2004.
 19 18 A. This one?
 20 19 Q. Yes, that's the article right there. And it
 21 20 says in-- The first sentence says, last time
 22 21 Dover school board member William Buckingham
 23 22 said a new biology book for the district should
 24 23 offer a balance between creationism and Darwin's
 25 24 theory of evolution. Do you see that?
 26 25 A. Yes.

Sheila Harkins 1/3/05

SHEET 13 PAGE 49
1 00048

2 1 Q. Do you remember reading that at the time?
 3 2 A. No.
 4 3 Q. Do you remember reading any of these articles at
 the time?
 5 4 A. No, to be honest, I don't.
 6 5 Q. Do you read the paper the York Daily Record on a
 daily basis?
 7 6 A. No. I get it on a daily basis. I don't
 necessarily read it on a daily basis.
 8 7 Q. What about the articles about the school board,
 do you read them?
 9 8 A. No, particularly not Joe Maldonado's.
 10 9 Q. Now, I'd like you to go forward just a few
 articles, and there is a York Daily Record
 11 10 article of June the 15th of 2004.
 12 11 A. June 15th, okay.
 13 12 Q. Do you see that it says, book is focus of more
 debate, that's the headline?
 14 13 A. Um-hum.
 15 14 Q. Please take a moment to read that article. I'd
 like to ask you just a few questions about it.
 16 15 A. I'm reading the one by Heidi Bernhard, is that
 what one you're telling me?
 17 16 Q. No. It's York Daily Record of June the 15th.
 18 17 A. MR. THOMPSON: Joseph Maldonado.

PAGE 51
1 00050

2 1 A. Correct.
 3 2 Q. Do you remember him saying anything like that?
 4 3 A. No, have no recollection.
 5 4 Q. And then it has the quote there, 2,000 years ago
 6 5 someone died on a cross, he said, can't someone
 7 6 take a stand for him.
 8 7 A. He never said that.
 9 8 Q. He didn't say that at a board meeting?
 10 9 A. He only said that the year before. He never
 said that again.
 11 10 Q. If you look down -- two paragraphs down it says,
 12 11 but in reference to its teaching of Darwinism,
 13 12 he said, I challenge you, the audience, to trace
 14 13 your roots from the monkey you came from. Do
 15 14 you see that?
 16 15 A. Yes.
 17 16 Q. Did he say that?
 18 17 A. I don't know.
 19 18 Q. Do you have any recollection of that or anything
 like that?
 20 19 A. I believe he may have said something like that.
 21 20 Q. Then if you go to the next page-- Ms. Harkins.
 22 21 A. I'm sorry, I was still reading what Casey is
 supposed to have said.
 23 22 Q. But if you go to the next page in the fourth

PAGE 50
1 00049

2 1 A. I'm sorry. Okay.
 3 2 BY MR. HARVEY:
 4 3 Q. Do you remember reading this article at or about
 the time it was published by the paper?
 5 4 A. No.
 6 5 Q. Do you think that you did read this article at
 that time?
 7 6 A. Probably not.
 8 7 Q. This says that at the board meeting which was on
 the Monday before this which I think was June
 9 8 A. 11 the 14th William Buckingham, quotes, apologized
 10 9 to anyone he may have offended with the comments
 11 10 he made at last week's board meetings during
 12 11 discussions over a new biology book for the high
 13 12 school.
 14 13 A. Okay.
 15 14 Q. Do you remember him making such an apology?
 16 15 A. No.
 17 16 Q. Then in the fifth paragraph it said that
 18 17 Buckingham said, quotes, while he was growing
 19 18 up, his generation prayed and read from the
 20 19 Bible during school. Then he said, liberals in,
 21 20 quotes, black robes, close quotes, were taking
 22 21 away the rights of Christians, close quotes. Do
 23 22 you see that?
 24 23 A. MR. THOMPSON: Counsel, could we take a
 25 24 break. I think she's been here for about an
 hour. I'm not sure.
 26 25 Q. Can I take something?
 27 26 A. MR. HARVEY: I would like to take a break
 at 11:00 unless the witness has to use the
 ladies room or something.

PAGE 52
1 00051

2 1 paragraph down it says, quotes, also during
 3 2 public comments, Buckingham's wife, Charlotte
 4 3 Buckingham, argued that evolution teaches
 5 4 nothing but lies. After quoting several verses
 6 5 from the book of Genesis in the Bible, she asked
 7 6 how can we allow anything else to be taught in
 8 7 our schools, close quote.
 9 8 A. Charlotte only quoted verses from the Bible the
 10 9 year before, November before. She never
 11 10 quoted-- She never did that again. This didn't
 12 11 happen.
 13 12 Q. Just one question I forgot to ask you, are you
 14 13 taking any medication today for your cold?
 15 14 A. Just Advil.
 16 15 Q. You're not taking anything that would prevent
 17 16 you from remembering events correctly or
 18 17 testifying fully and completely today, are you?
 19 18 A. No.
 20 19 MR. THOMPSON: Counsel, could we take a
 21 20 break. I think she's been here for about an
 22 21 hour. I'm not sure.
 23 22 Q. Can I take something?
 24 23 A. MR. HARVEY: I would like to take a break
 25 24 at 11:00 unless the witness has to use the
 ladies room or something.

Sheila Harkins 1/3/05

SHEET 14 PAGE 53
1 00052

2 1 A. No. I'm all right.
 3 2 BY MR. HARVEY:
 4 3 Q. So you don't recall Mr. Buckingham's wife saying
 5 anything, reading any verses from the Bible in
 6 June of this past year?
 7 6 A. I'd say she did not. She only ever did it once.
 8 7 Q. Then further down there's a paragraph that
 9 reads--
 10 9 A. We told her it was inappropriate.
 11 10 Q. Further on down there's a paragraph that reads,
 12 during the meeting, Buckingham told those in
 13 attendance that he'd been asked to tone down his
 14 Christian remarks. But I must be who I am, and
 15 not politically correct, he said. Do you see
 16 those words?
 17 16 A. No, I'm sorry, I don't know where you're at.
 18 17 Q. I'll point.
 19 18 A. Okay, here, I found you. All right.
 20 19 Q. Do you remember him saying anything like that?
 21 20 A. No, but he may have.
 22 21 Q. You said that someone told Ms. Buckingham to
 23 tone it down I think were your words.
 24 22 A. No. That was your words.
 25 23 Q. You said, I believe, just a few minutes ago that
 26 someone spoke to Ms. Buckingham.

PAGE 55
1 00054

2 1 textbook or intelligent design or creationism or
 3 evolution?
 4 3 A. No, I'm sorry.
 5 4 Q. Does it help you remember anybody's statements
 6 at those meetings other than your own statement
 7 which you told us about before?
 8 7 A. No.
 9 8 Q. So after reading this, you still have no
 10 recollection of anyone's statements about the
 11 biology textbook or creationism or evolution
 12 other than what you told us earlier about your
 13 own statement about the biology textbook,
 14 correct?
 15 14 A. Correct.
 16 15 Q. Now, I'd like to ask you in general -- we're
 17 going to move on and talk about some other
 18 subjects right now. We'll use this again
 19 later -- about the process for changes in the
 20 curriculum at the high school. Is there a
 21 process that the board is required to follow --
 22 not the board necessarily but that is required
 23 to be followed in general for changes to the
 24 school curriculum at the high school?
 25 24 A. There's a process, but I don't know it formally.
 26 25 Is that what you're asking?

PAGE 54
1 00053

2 1 A. Oh, Charlotte.
 3 2 Q. Yes.
 4 3 A. As I understood. I was told that.
 5 4 Q. Who told you that?
 6 5 A. I don't recall, but somebody mentioned to me.
 7 Charlotte was told that it was inappropriate.
 8 And I believe it was at the meeting the November
 9 before. When she was reading from the Bible,
 10 she was stopped, and she was told it was
 11 inappropriate. But I don't remember-- I guess
 12 it would have been Noel Wenrich who was board
 13 president probably told her -- stopped her in
 14 the middle of her reading the Bible saying this
 15 is not the time or the place to be reading the
 16 Bible.
 17 16 Q. And that was back again back in November 2002?
 18 17 A. That's correct.
 19 18 Q. Now, we just read--
 20 19 A. It was inappropriate.
 21 20 Q. You just read for me the York Daily Record
 22 article of June the 15th. And that reports on a
 23 second board meeting in June of 2004. And my
 24 question is, does reading this article help you
 25 remember anything else that was said at board
 25 meetings in June of 2004 about the biology

PAGE 56
1 00055

2 1 Q. Yes, I'm asking if you know what the process is.
 3 2 A. No. I know there is one. It's a step of
 4 reviews.
 5 3 4 Q. Where would you go if you wanted to figure out
 6 what that process was?
 7 5 6 A. I'd ask the administration.
 8 6 7 Q. But you don't have any knowledge of what that
 9 process is. Did I understand correctly?
 10 8 9 A. Specifics on it, I'm not really sure on it.
 11 9 10 Q. How about just general, can you tell me what it
 12 is just generally?
 13 10 11 12 A. If I wanted something changed, I'd go to the
 14 administration, talk to them about it, and ask
 15 them to do it or the process for doing it.
 16 11 12 13 14 15 Q. So you don't have any general understanding of
 17 how the process for curriculum changes works.
 18 12 13 14 15 16 17 A. Am I correct about that?
 19 13 14 15 16 17 18 A. I know there's reviews, but I don't know the
 20 specifics of those reviews.
 21 14 15 16 17 18 19 Q. Well, I just want to understand. I'm not asking
 22 you for the specifics. I just want to
 23 understand whether there's a process.
 24 15 16 17 18 19 20 A. There's a process.
 25 16 17 18 19 20 21 Q. I thought that the process works something like
 26 17 18 19 20 21 22 this -- and I'll tell you what my understanding

Sheila Harkins 1/3/05

SHEET 15 PAGE 57

1 00056
 2 1 is, and it may be wrong. I don't know. I'm
 3 2 asking for this -- that usually curriculum
 4 3 changes begin with the teachers and the school
 5 4 administration and the faculty, and then there
 6 5 is a request for a curriculum change, and then
 7 6 the faculty and the administration work with the
 8 7 board.
 9 8 There's a curriculum committee on the board
 10 9 that considers it. Input is taken not only from
 11 10 the faculty and the administration but also from
 12 11 a citizens advisory council. And then
 13 12 ultimately the board is required to approve
 14 13 whatever change it is. Is that your
 15 14 understanding of how it works?
 16 15 A. No.
 17 16 Q. Do you have an understanding that I'm incorrect?
 18 17 A. Yeah. I wouldn't think you were correct.
 19 18 Q. Well, what is the-- What does the curriculum
 20 19 committee do?
 21 20 A. See, I would have always thought that the board,
 22 21 too, I thought gave input before. You said only
 23 22 teachers.
 24 23 Q. Again, I was just-- I'm not sure that I'm
 25 24 right. I was just trying to see if you could
 26 25 tell me. So you don't know what the process is?

PAGE 58

1 00057
 2 1 A. That's correct.
 3 2 Q. There is a curriculum committee we've already
 4 3 discussed that you were on it last year,
 5 4 correct?
 6 5 A. That is correct.
 7 6 Q. What is the role of the curriculum committee on
 8 7 the school board?
 9 8 A. The curriculum committee reviews the curriculum.
 10 9 We get oftentimes curriculum is presented or
 11 10 changes.
 12 11 Q. Does the curriculum committee have any role
 13 12 other than just reviewing the curriculum?
 14 13 A. Yes.
 15 14 Q. What is that role?
 16 15 A. If they need-- If there are meetings that need
 17 16 to be had, the curriculum committee goes to
 18 17 these meetings.
 19 18 Q. What kind of meetings?
 20 19 A. Well, last year we had meetings with the biology
 21 20 department.
 22 21 Q. What kind of meet-- How many meetings did you
 23 22 have with the biology department?
 24 23 A. I'm not sure. I'm thinking two.
 25 24 Q. Who was present?
 26 25 A. It would have been Jen Miller, Mr. Eshbach, Burt

PAGE 59

1 00058
 2 1 Spahr, Mike Baksa, myself, Bill Buckingham. I
 3 2 can't recall who else, if anyone else, was
 4 3 there. Casey Brown opted not to come.
 5 4 Q. When were those meetings?
 6 5 A. I believe they were right after school so the
 7 6 teachers wouldn't have to stay, like at 3:00.
 8 7 Q. I mean, were they in the beginning -- in the
 9 8 summer, in June?
 10 9 A. They were before school let out, so I'm thinking
 11 10 end of May, beginning of June, something like
 12 11 that.
 13 12 Q. So you recall meetings with the people that you
 14 13 just said, two of them, and they happened in or
 15 14 around May or June?
 16 15 A. Yes.
 17 16 Q. What was discussed at those meetings?
 18 17 A. The policy change, the curriculum, policy
 19 18 curriculum.
 20 19 Q. What policy curriculum?
 21 20 A. The statement of gaps and problems.
 22 21 Q. The one that was adopted by the board on--
 23 22 A. Yes.
 24 23 Q. I'm sorry, you need to let me complete my
 25 24 question. The one that was adopted by the board
 26 25 on October the 18th?

PAGE 60

1 00059
 2 1 A. Yes.
 3 2 Q. That was discussed with the teachers in May and
 4 3 June?
 5 4 A. In that time frame sometime, May or June, not
 6 5 necessarily May and June. I don't know.
 7 6 Q. But it wasn't August or September?
 8 7 A. That's correct.
 9 8 Q. Do you remember what the school teachers had to
 10 9 say about the curriculum change?
 11 10 A. No. But I felt the tone of the meeting was very
 12 11 good. I felt everyone was in agreement.
 13 12 Q. Agreement about what?
 14 13 A. The statement that was worked out or presented.
 15 14 Q. Now, in addition to these meetings with the
 16 15 school faculty that were present, were there
 17 16 other meetings where just the school board
 18 17 curriculum committee--
 19 18 A. No, not that I'm aware of, not that I recall.
 20 19 Q. Did you ever have any telephone conversations
 21 20 with members of the board about the curriculum
 22 21 change?
 23 22 A. I don't remember any, no.
 24 23 Q. Did you ever have any e-mails with the board
 25 24 about that?
 26 25 A. No.

Sheila Harkins 1/3/05

SHEET 16	PAGE 61	PAGE 63
1 00060	1 Q. Any conversations outside of the school board 2 meetings with school board members about the 3 curriculum change? 4 A. No, not that I recall, no. 5 Q. Let me just make sure I understand this. I just 6 asked you about the curriculum change and 7 whether there were meetings or e-mails or 8 conversations outside of the school board about 9 the subject of the curriculum change, and I'd 10 like to know whether you can tell me whether to 11 your knowledge there were any discussions 12 outside of the school board meeting about the 13 biology textbook or the theory of evolution or 14 creationism or intelligent design or the board's 15 resolution on October 18th, whether e-mails or 16 letters or meetings or phone calls, that 17 happened outside of the school board meetings. 18 A. Wow, that's such a vast question. I mean, 19 you're asking about 10 things there at one time. 20 MR. THOMPSON: I'll object on the basis 21 that it's a complex question and compound 22 question if you could rephrase it. 23 A. I was going to say if you can read that question 24 back and read it back parcel by parcel. 25 BY MR. HARVEY:	1 00062 1 change and wanted to know our comments on it. 2 But you would have to ask Mike and Bill for 3 their recollection. 4 Q. So, now, other than that meeting that you're not 5 a hundred percent sure about, do you ever 6 remember any conversations with any school board 7 members outside of the school board meetings or 8 the two meetings we talked about and this 9 possible meeting about school board business? 10 A. Any school board business ever? 11 Q. Over the past year. 12 A. We probably have. 13 Q. Do you remember any? 14 A. No specifics, no. 15 Q. Do you remember any conversations of that nature 16 that related to the biology textbook or the 17 theory of evolution? 18 A. There was conversation. Mike Baksa called. 19 Would that qualify in your-- 20 Q. Sure. 21 A. He called about ordering the textbook without 22 board approval. 23 Q. When did he do that? 24 A. I don't remember when exactly, if I'd have a 25 problem with that.

PAGE 62	PAGE 64	
1 00061	1 00063 1 Q. Let me ask you a question. Do you ever remember 2 over the past year having meetings with school 3 board members about school board business other 4 than regularly scheduled school board meetings 5 or the two curriculum meetings you just told me? 6 A. Read that back. 7 (The court reporter read back the previous 8 question.) 9 A. No meetings. We may have had discussions that-- 10 I'm not sure. 11 BY MR. HARVEY: 12 Q. So you don't remember any meetings for that 13 purpose, correct? 14 A. No, no. 15 Q. In other words I'm correct? 16 A. Now wait, there may have been one-- I think 17 there may have been one with Mike Baksa, myself, 18 and Bill Buckingham, and you would have to ask 19 them to make sure of that. 20 Q. Do you think there was? 21 A. I'm thinking there was one. 22 Q. What was discussed at it? 23 A. I am thinking-- I am thinking Mike just came to 24 us and presented to us what the teachers decided 25 they wanted to change or something and the	1 Q. What did he tell you in that conversation? 2 A. He said they wanted to get it ordered and he was 3 calling around to see if he had at least five 4 board members that would go along with ordering 5 it ahead of time. 6 Q. And what did you say? 7 A. Go ahead. 8 Q. What book was this? 9 A. Whatever one the biology teachers wanted. 10 Q. It wasn't Of Pandas and People? 11 A. No. 12 Q. You can remember a conversation with Mr. Baksa? 13 A. Um-hum. 14 Q. Any other conversations with any school board 15 members or school administrators other than the 16 ones you've told us about, about the resolution 17 or intelligent design or the theory of evolution 18 or the biology textbook? 19 A. Board members, any other board members? 20 Q. Or the school district officials. 21 A. I did with the solicitor. 22 Q. When did you meet with the solicitor? 23 A. I'm not sure. 24 Q. Who was present? 25 A. I'm not sure of that.

Sheila Harkins 1/3/05

SHEET 17 PAGE 65

1 00064
 2 1 Q. Were there other people present?
 3 2 A. I believe it was at a student hearing.
 4 3 Q. What did you discuss with the solicitor?
 5 4 A. I wanted him to run it by every organization,
 6 5 group he could think of to make sure that it was
 7 6 legal.
 8 7 Q. Run what by?
 9 8 A. The policy, the curriculum.
 10 9 Q. What curriculum?
 11 10 A. The gaps problems, the statement.
 12 11 Q. What else did you say to the solicitor?
 13 12 A. I wanted to know whether it was -- there was any
 14 13 legal issues.
 15 14 Q. Did he ever tell you that there were?
 16 15 A. No. He told me there weren't.
 17 16 Q. Who was that?
 18 17 A. Steve Russell.
 19 18 Q. Did he tell you in writing?
 20 19 A. In fact, specifically I told him to run it by
 21 20 the ACLU, and he got back to me and told me he
 22 21 did.
 23 22 Q. Did he do that in writing or in person?
 24 23 A. No, verbally. He said he ran it by every think
 25 24 tank he could come up with and it passed muster.
 26 25 You would have to ask him who he ran it by.

PAGE 67

1 00066
 2 1 A. That's correct.
 3 2 Q. Did you ever have any other conversations on
 4 3 that subject with him?
 5 4 A. Nope.
 6 5 Q. Did you ever have any conversations with anybody
 7 6 else about your conversation with Mr. Russell?
 8 7 A. Yes.
 9 8 Q. With whom?
 10 9 A. Dr. Nilsen, Mike Baksa, I'd say some of the
 11 10 board members.
 12 11 Q. When was that?
 13 12 A. I'm not sure.
 14 13 Q. Was that at a meeting?
 15 14 A. It wasn't-- I believe it could have been like
 16 15 at student hearings.
 17 16 Q. What did you tell Mr. Nilsen, Mr. Baksa, and the
 18 17 board members about it?
 19 18 A. That if Steve didn't have a problem with it I
 20 19 didn't have a problem with it.
 21 20 Q. Do you remember any other conversations about
 22 21 the curriculum change with anyone other than the
 23 22 people you've already told me about outside of
 24 23 school board meetings?
 25 24 A. Not that I recollect at the moment, I'm sorry.
 26 25 Q. Is the curriculum committee required to keep

PAGE 66

1 00065
 2 1 Q. So you had a conversation with him?
 3 2 A. Yes, I did.
 4 3 Q. And this was at a student hearing?
 5 4 A. I believe it was a student hearing, yes.
 6 5 Q. How long was your conversation with him?
 7 6 A. Thirty seconds maybe. That's approximate.
 8 7 Q. Do you remember saying to him anything other
 9 8 that you wanted him to run this curriculum
 10 9 change by everyone he could think of to see if
 11 10 it was legal?
 12 11 A. That's correct.
 13 12 Q. Do you remember anything else you said to him?
 14 13 A. No.
 15 14 Q. He said that he would do that?
 16 15 A. He said he would do that.
 17 16 Q. Did he say anything else to you at that time?
 18 17 A. Not that I recollect.
 19 18 Q. He later reported to you that--
 20 19 A. I asked him. No, I asked him. I had to call
 21 20 and ask him.
 22 21 Q. How long was that conversation?
 23 22 A. Less than a minute.
 24 23 Q. He told you that he ran it by everybody
 25 24 including the ACLU and everybody said it was
 26 25 okay?

PAGE 68

1 00067
 2 1 minutes?
 3 2 A. I don't think any committee has ever kept
 4 3 minutes since I've been on the board.
 5 4 Q. Do you know if the curriculum committee is
 6 5 required to keep minutes?
 7 6 A. No, they're not.
 8 7 MR. THOMPSON: Objection, calls for a legal
 9 8 conclusion.
 10 9 A. I don't think they are, never have. How's that?
 11 10 Is that okay?
 12 11 MR. THOMPSON: Just answer his question,
 13 12 but it calls for a legal conclusion.
 14 13 BY MR. HARVEY:
 15 14 Q. Is there a curriculum advisory committee?
 16 15 A. I believe that's the committee with parents and
 17 16 staff I think and board. I've never been to any
 18 17 meetings of those that I recall.
 19 18 Q. Do you know does it have a role in the process
 20 19 of making curriculum changes?
 21 20 A. I believe curriculum is supposed to be run by
 22 21 the curriculum advisory committee, but I don't
 23 22 know that it's run by them at a formal meeting.
 24 23 Q. Do you know if the curriculum advisory committee
 25 24 was ever consulted or told about the change to
 26 25 the biology curriculum?

Sheila Harkins 1/3/05

SHEET 18 PAGE 69

1 00068
 2 1 A. I don't know that.
 3 2 Q. You don't know one way or another?
 4 3 A. That's correct. I know Barrie Callahan
 5 complained that it had not been, but I don't
 6 know that to be true.
 7 6 MR. HARVEY: We're at just a couple minutes
 8 before 11:00, so why don't we take a break now.
 9 8 (Recess taken)
 10 9 BY MR. HARVEY:
 11 10 Q. Let's talk about the book Of Pandas and People.
 12 11 A. Okay.
 13 12 Q. Have you ever seen a copy of the book?
 14 13 A. Yes.
 15 14 Q. I'm holding a copy up.
 16 15 A. Yes.
 17 16 Q. When did you see a copy before today?
 18 17 A. I don't remember. It was back in-- I don't
 19 know when it was. Maybe, I'm going to guess--
 20 Can I guess?
 21 20 Q. No, you shouldn't guess, but if you have an
 22 idea, then you can give me in a range.
 23 22 A. June, July.
 24 23 Q. Who showed it to you, or how did you get a copy?
 25 24 A. I believe it was at the board meeting, I
 26 25 believe.

PAGE 70

1 00069
 2 1 Q. Have you ever read it?
 3 2 A. Read it?
 4 3 Q. Yes.
 5 4 A. Cover to cover, no.
 6 5 Q. Have you read any parts of it?
 7 6 A. I glanced through it.
 8 7 Q. For how long?
 9 8 A. Estimate an hour.
 10 9 Q. Do you remember anything in there that it said?
 11 10 A. Could I quote anything in that book, no.
 12 11 Q. Do you remember what it said generally?
 13 12 A. Glancing through it, it appeared like a biology
 14 book.
 15 14 Q. Do you remember anything else that it said
 16 generally other than appearing like a biology
 17 book?
 18 17 A. Specifically what?
 19 18 Q. Anything you can remember that it said in there
 20 or that it taught, concepts it covered?
 21 20 A. It did cover intelligent design, but if you ask
 22 me--
 23 22 Q. Anything else other than intelligent design that
 24 it covered?
 25 24 A. Oh, it had lots of things in it.
 26 25 Q. I'm just asking if you can remember anything

PAGE 71

1 00070
 2 1 that was covered in there.
 3 2 A. Oh, I remember some flowers, something about
 4 flowers in there. I'm trying to think what else
 5 I-- I'm not specific on anything, no.
 6 5 Q. So you can't remember anything else other than
 7 what you just told us about the Pandas book?
 8 7 A. I mean, that's what I think when I looked at it
 9 I was looking for.
 10 9 Q. You were looking for intelligent design?
 11 10 A. I was looking for something of that nature,
 12 yeah.
 13 12 Q. A number of copies of the book were donated to
 14 the school district?
 15 14 A. Yes.
 16 15 Q. Do you know how many copies were donated?
 17 16 A. Do I know?
 18 17 Q. Yes.
 19 18 A. I only know what I've been told.
 20 19 Q. What were you told?
 21 20 A. Somebody said 50 or 60.
 22 21 Q. How do you know that? Who told you that?
 23 22 A. I believe Dr. Nilsen or Mike Baksa said that.
 24 23 Q. Do you know who donated it?
 25 24 A. I have no idea.
 26 25 Q. Did you ever ask?

PAGE 72

1 00071
 2 1 A. Nope.
 3 2 Q. Why not?
 4 3 A. I had no interest.
 5 4 Q. Do you know that it was raised -- the question
 6 was raised at a school board meeting by someone
 7 named Larry Snook, he asked who donated it?
 8 7 A. Now that you mentioned it, I think he did.
 9 8 Q. What was he told, do you remember?
 10 9 A. I don't recall.
 11 10 Q. Do you know why it was not made public who
 12 donated them?
 13 12 A. I never thought about it.
 14 13 Q. Well, you thought about it when Mr. Snook raised
 15 it at the meeting, right?
 16 15 A. Not really.
 17 16 Q. So somebody donated 50 or 60 copies of a book to
 18 the school district that covered the subject of
 19 intelligent design, and you had no desire
 20 whatsoever to know who had done that?
 21 20 A. No desire whatsoever, no thought about it.
 22 21 Q. What about now that you're the school board
 23 president, are you curious to find that out?
 24 23 A. No. We have books donated all the time, and I'm
 25 not interested in who is donating what books.
 26 25 Q. Were you ever at any meetings where -- other

Sheila Harkins 1/3/05

SHEET 19 PAGE 73

1 than the meeting we just discussed involving the
 2 question by Mr. Snook where a donation of the
 3 book was discussed?
 4 A. Run that by me again.
 5 Q. Were you ever at any meetings where the book
 6 donation was discussed?
 7 A. No.
 8 Q. What's your understanding of what intelligent
 9 design is?
 10 A. Intelligent design has been defined so widely
 11 and varied, I don't know that I could give a
 12 definition.
 13 Q. Can you describe for me what it is in a general
 14 sense, intelligent design?
 15 A. I don't know that there is a definition in a
 16 general sense.
 17 Q. Well, if someone asked you as a school board
 18 president what is this intelligent design that's
 19 referenced in the school board resolution, how
 20 would you answer that?
 21 A. I would say you would have to search that out
 22 for yourself.
 23 Q. Do you have any understanding yourself about
 24 what intelligent design is?
 25 MR. THOMPSON: Objection, asked and

PAGE 75

1 00074
 2 1 between an opinion or an idea? What is the
 3 2 difference?
 4 3 Q. You don't know the difference between what I'm
 5 4 going to ask, whether it's your opinion or
 6 5 whether that's your understanding of what it is?
 7 6 A. No, I don't understand the difference between
 8 7 that.
 9 8 Q. Has anybody at any point explained to you as a
 10 9 board member what intelligent design is?
 11 10 A. When you say explained, I've read different
 12 11 things, or people have talked to me, but I don't
 13 12 take that as that's what it is.
 14 13 Q. What have people told you?
 15 14 A. Oh, everything from obviously some people
 16 15 perceive it as religion which I do not.
 17 16 Q. Who has told you anything about intelligent
 18 17 design?
 19 18 A. Oh, I can't-- I'm trying to think. I can't
 20 19 give specifics who's talked to me.
 21 20 Q. Well, do you know if it was a board member or a
 22 21 teacher or a member of the community at large?
 23 22 A. I may have had conversation already with members
 24 23 of the community, but I can't be specific.
 25 24 Q. You don't remember who any of them are?
 26 25 A. No.

PAGE 74

1 00073
 2 1 answered, but go ahead.
 3 2 A. I am still open minded, I think.
 4 BY MR. HARVEY:
 5 4 Q. So you don't have any idea for yourself what it
 6 means?
 7 6 A. Not a firm definition. I'm still exploring.
 8 7 Q. Do you have any general understanding what
 9 8 intelligent design is?
 10 9 A. Well, I have not formed any opinions on
 11 10 intelligent design yet to give a definition.
 12 11 Q. I'm not asking for a definition. I'm just
 13 12 asking if you can tell me in the most -- in any
 14 13 way you can, even in the most general sense,
 15 14 what intelligent design is.
 16 15 A. I can define it widely, but I might change my
 17 16 opinion tomorrow. Is that fair?
 18 17 Q. Yes, sure.
 19 18 A. That every living cell possibly is designed down
 20 19 to the tiniest organism and if it is designed
 21 20 how it may have been designed, if there was
 22 21 possibly a designer or something.
 23 22 Q. Now, is that your opinion of intelligent design,
 24 23 or is that your understanding of what
 25 24 intelligent design is?
 26 25 A. Well, I don't know. What's the difference

PAGE 76

1 00075
 2 1 Q. I'm sorry?
 3 2 A. No, I'm sorry.
 4 3 Q. So you can't tell me the name of anybody who has
 5 4 told you about what intelligent design is.
 6 5 Isn't that correct?
 7 6 A. Well, I'm thinking. E-mail count? Does e-mail
 8 7 count?
 9 8 Q. Yes.
 10 9 A. Yeah, I have an e-mail from somebody -- from a
 11 10 teacher in Dallastown.
 12 11 Q. When was that e-mailed?
 13 12 A. I'm not sure.
 14 13 Q. Was it before or after the school board
 15 14 resolution of October 18th?
 16 15 A. I'm not sure of that.
 17 16 Q. Can you produce a copy of that e-mail?
 18 17 A. Sure.
 19 18 MR. HARVEY: Counsel, I'd like to receive a
 20 19 copy of that if I may as soon as possible,
 21 20 obviously not during this deposition.
 22 BY MR. HARVEY:
 23 22 Q. Do you remember what the e-mail said about
 24 23 intelligent design?
 25 24 A. About how the teacher in Dallastown handled it.
 26 25 Q. What did it say about that?

Sheila Harkins 1/3/05

SHEET 20	PAGE 77	PAGE 79
1 00076		1 00078
2 1 A.	It was the biology teacher in Dallastown and how he handled it. And he wanted it published in the newspaper, and the newspaper refused to publish it.	2 1 Q. Byron Borger, B-o-r-g-e-r?
3 2		3 2 A. I believe.
4 3		4 3 Q. What did Mr. Borger say to you?
5 4		5 4 A. His good friend tried to put this letter in the paper about intelligent design and they wouldn't publish it. And he is a known person in the community. He runs all the science contests for the kids in the county.
6 5 Q.	Did he say in there what intelligent design was?	6 5
7 6 A.	Yeah.	7 6
8 7 Q.	What did he say?	8 7
9 8 A.	He did a master's thesis on it.	9 8
10 9 Q.	Did he tell you what intelligent design was?	10 9 Q. Who is this person?
11 10 A.	What his interpretation was, I believe.	11 10 A. His name is Mr. I think McKeary (phonetic) or something like that.
12 11 Q.	What was that? What did he say?	12 11
13 12 A.	I'm not really sure exactly what he said in the e-mail, but you're certainly free to review it.	13 12 Q. What does he teach?
14 13		14 13 A. Biology at Dallastown. He just retired.
15 14 Q.	But you can't remember what he said sitting here today about what intelligent design is?	15 14 Q. He says he teaches intelligent design?
16 15		16 15 A. He said he did.
17 16 A.	It was-- It attempted to talk about design of -- and recognizing design I believe of all living things.	17 16 Q. Other than this e-mail that you received, you can't recall the names of anybody else who told you anything about intelligent design? I know
18 17		18 17 I've already asked you that, but I'm just trying
19 18		19 18 to be clear. Is that correct?
20 19 Q.	Design by whom?	20 19 A. To the best of my recollection at the moment, I can't recall.
21 20 A.	I don't know that it addressed that.	21 21 Q. Have you read anything about intelligent design?
22 21 Q.	Did it say anything else about what intelligent	22 22 A. Briefly maybe.
23 22	design is?	23 23 Q. Do you remember what you read?
24 23 A.	I don't remember.	
25 24 Q.	Other than this e-mail that you just told us about and that you're going to provide us a copy	

PAGE 78	PAGE 80
1 00077	1 00079
2 1	2 1 A. No.
3 2	3 2 Q. Do you know whether intelligent design stands for the proposition that life forms owe their origin to an intelligent actor?
4 3 A.	4 3
5 4 Q.	5 4 A. I don't even know what you said.
6 5 A.	6 6 MR. THOMPSON: Objection. She's already indicated she doesn't know what intelligent design is. Go ahead and try to answer the question.
7 6 Q.	7 7
8 7	8 8
9 8	9 9
10 9 A.	10 10 A. I don't know what you just said.
11 10	11 11 MR. HARVEY: Can we stipulate that she doesn't know what intelligent design is?
12 11 Q.	12 12 MR. THOMPSON: She indicated she doesn't. There are many definitions. She doesn't know.
13 12 A.	13 13 She's still forming her opinion. Now you're asking her a specific definition.
14 13	14 14
15 14 Q.	15 15
16 15 A.	16 16
17 16	17 17
18 17 Q.	18 18 BY MR. HARVEY:
19 18 A.	19 19 Q. Is it your understanding that intelligent design
20 19	20 20 teaches that life owes its origins to an
21 20	21 21 intelligent actor?
22 21	22 22 MR. THOMPSON: Objection.
23 22 Q.	23 23 A. No. I wouldn't--
24 23 A.	24 24 BY MR. THOMPSON:
25 24 Q.	25 25 Q. Is it your understanding that intelligent design
26 25 A.	

Sheila Harkins 1/3/05

SHEET 22 PAGE 85

1 00084
 2 1 theories of evolution including, but not limited
 3 2 to, intelligent design. Note: Origins of life
 4 3 not taught.
 5 4 A. Yes.
 6 5 Q. Now, that resolution you recall was passed by a
 7 6 six to three vote by the board on October 18,
 8 7 2003?
 9 8 A. I believe that's correct.
 10 9 Q. Now, do you remember that school board meeting
 11 10 on October 18?
 12 11 A. Not really. I'm sorry.
 13 12 Q. Do you remember anything about it at all?
 14 13 A. No.
 15 14 Q. Do you remember if there was any discussion of
 16 15 this resolution at that meeting?
 17 16 A. I'm not sure-- I'm not clear if this is the
 18 17 meeting where there was like A, B, C.
 19 18 (Plaintiff's Deposition Exhibit #5 marked
 20 19 for identification)
 21 20 BY MR. HARVEY:
 22 21 Q. I'm handing you an exhibit which has been marked
 23 22 as Plaintiff's Exhibit 5. It's a copy of all of
 24 23 the documents that were produced by the
 25 24 defendants in preparation for this deposition
 26 25 with the exception of the documents they

PAGE 87

1 00086
 2 1 Q. Actually enclosures, excuse me.
 3 2 A. Where are they?
 4 3 Q. And if you look behind it, they're directly
 5 4 there. I believe they're not in the correct
 6 5 order. But the first one behind it at 146 is an
 7 6 Enclosure XI-B?
 8 7 A. Excuse me?
 9 8 Q. At Page 146 and 147 is Exhibit XI-B.
 10 9 A. Yes.
 11 10 Q. You see that there's a reference there to-- Do
 12 11 you see there at the bottom what it says,
 13 12 Students will be made aware of gaps in Darwin's
 14 13 theory and other theories of evolution?
 15 14 A. Okay, yes, all right.
 16 15 Q. And the cover memo says that that's the
 17 16 recommended changes from the administration and
 18 17 staff?
 19 18 A. Okay.
 20 19 Q. And then the next one right behind it at 148 and
 21 20 149 says there's attached a recommended change
 22 21 to the biology curriculum from the board
 23 22 curriculum committee.
 24 23 A. Yes.
 25 24 Q. That one's a little different. It says,
 26 25 students will be made aware of gaps/problems in

PAGE 86

1 00085
 2 1 produced this morning.
 3 2 A. Okay.
 4 3 Q. If you will please turn to-- There's page
 5 4 numbers on the bottom. Do you see them?
 6 5 A. Yep. I can take the rubber band off, I presume.
 7 6 Q. Yes. Just keep it in order, please. Please
 8 7 turn to Page 139.
 9 8 A. Okay.
 10 9 Q. And you'll see there is what's the agenda for
 11 10 that meeting, correct?
 12 11 A. Yes.
 13 12 Q. And then if you flip through that, that goes on
 14 13 for a number of pages. And then it says on
 15 14 Page Number 145, curriculum, and it makes
 16 15 reference to a change to the Biology I - Grade 9
 17 16 Planned Course/Curriculum Guide. Do you see
 18 17 that?
 19 18 A. All right.
 20 19 Q. Have you ever seen that before?
 21 20 A. Obviously yes.
 22 21 Q. Do you remember reading it?
 23 22 A. No.
 24 23 Q. Then it makes reference to some exhibits or
 25 24 attachments.
 26 25 A. Okay.

PAGE 88

1 00087
 2 1 Darwin's theory and of other theories of
 3 2 evolution including, but not limited to,
 4 3 intelligent design. And it refers to as a
 5 4 reference book Of Pandas and People.
 6 5 A. Yes.
 7 6 Q. Was that, in fact, the recommendation of the
 8 7 curriculum committee?
 9 8 A. Yes.
 10 9 Q. You were on that curriculum committee?
 11 10 A. Yes.
 12 11 Q. And you supported that?
 13 12 A. Yes. I didn't have a problem with that.
 14 13 Q. What was the purpose of the proposed change that
 15 14 was advanced by the curriculum committee?
 16 15 A. Because it was looked at if you only offer one
 17 16 theory of evolution you are presenting that as a
 18 17 fact. You need to find other theories. And the
 19 18 only other theory anyone was aware of was
 20 19 intelligent design. But they would have liked
 21 20 to have presented other theories, but no one
 22 21 could think of any of them.
 23 22 Q. Was that discussed at the curriculum committee?
 24 23 A. I think so, yeah.
 25 24 Q. Was anybody consulted about this theory of
 26 25 intelligent design? Did the curriculum

Sheila Harkins 1/3/05

SHEET 23 PAGE 89

1 00089
 2 1 committee go to anybody and say we need some
 3 2 information about intelligent design?
 4 3 A. Not that I'm aware of.
 5 4 Q. Do you know who drafted that language?
 6 5 A. No, I don't.
 7 6 Q. Do you know if Mr. Buckingham drafted that
 8 7 language?
 9 8 A. No, I don't.
 10 9 Q. Did Mr. Buckingham tell you that he had spoken
 11 10 with anybody from the Thomas More Law Center
 12 11 about this resolution?
 13 12 A. No.
 14 13 Q. Did he say he had spoken with anybody from any
 15 14 other outside organizations such as The
 16 15 Discovery Institute?
 17 16 A. Not that I recollect, no.
 18 17 Q. Have you ever spoken to anybody from The
 19 18 Discovery Institute?
 20 19 A. Just recently.
 21 20 Q. When did you speak to them recently?
 22 21 A. Last month after we were sued.
 23 22 Q. Now, was this The Discovery Institute, or was it
 24 23 the Thomas More Law Center?
 25 24 A. It was The Discovery Institute.
 26 25 Q. Did you ever have any conversations with anybody

PAGE 91

1 00090
 2 1 Q. They were in person?
 3 2 A. Um-hum.
 4 3 Q. Who was that?
 5 4 A. I'm sorry, there were two people, two guys
 6 5 there, two men. They were attorneys. You would
 7 6 have to get the names from the administration,
 8 7 don't know the names.
 9 8 Q. What was their purpose in being at the meeting?
 10 9 A. They wanted to represent us.
 11 10 Q. Was it Mr. Thompson?
 12 11 A. No. Thompson, that doesn't ring a bell.
 13 12 Q. Isn't this Mr. Thompson right here?
 14 13 A. Yeah. But they were from Discovery Institute.
 15 14 I mean, you're saying from Discovery Institute
 16 15 Mr. Thompson, no. I'm trying to think of his--
 17 16 I'm sorry.
 18 17 Q. You discussed with these -- at these gentlemen
 19 18 from The Discovery Institute, did you discuss
 20 19 this lawsuit?
 21 20 MR. THOMPSON: Objection. I think it is
 22 21 covered by the attorney-client privilege.
 23 22 MR. HARVEY: I think she can answer the
 24 23 question whether this lawsuit was discussed
 25 24 without--
 26 25 A. I would say yeah.

PAGE 90

1 00089
 2 1 from the Thomas More Law Center before meeting
 3 2 Mr. Thompson who's next to you at court last
 4 3 week?
 5 4 A. No, not that I recollect.
 6 5 Q. What were your conversations with The Discovery
 7 6 Institute about--
 8 7 MR. THOMPSON: Objection. They had a
 9 8 lawyer, and they were in an executive committee
 10 9 meeting. I'm not sure whether that's covered by
 11 10 the attorney-client privilege or not.
 12 11 BY MR. HARVEY:
 13 12 Q. You had an executive committee meeting of the
 14 13 board of directors of the school district?
 15 14 A. Well--
 16 15 MR. THOMPSON: That's when they--
 17 16 A. Okay.
 18 17 BY MR. HARVEY:
 19 18 Q. Do you remember that?
 20 19 A. Yeah.
 21 20 Q. Do you remember contacting somebody from The
 22 21 Discovery Institute on the phone?
 23 22 A. No, I never did.
 24 23 Q. Was there somebody from The Discovery Institute
 25 24 there?
 26 25 A. Yes.

PAGE 92

1 00091
 2 1 BY MR. HARVEY:
 3 2 Q. Who was present at this meeting other than the
 4 3 board members?
 5 4 A. Dr. Nilsen. I don't recall if Mike Baksa was
 6 5 there or not.
 7 6 Q. Let me ask you a question. Without telling me
 8 7 what the substance of that conversation with
 9 8 these gentlemen was, I want you to tell me if
 10 9 you can remember the substance of the
 11 10 conversation with these gentlemen from The
 12 11 Discovery Institute.
 13 12 A. Other than they wanted to represent us, that
 14 13 was -- I mean and their proposal.
 15 14 MR. HARVEY: Counsel, I'll be careful here.
 16 15 BY MR. HARVEY:
 17 16 Q. I just want to know can you-- Let me get to my
 18 17 next question. Now, had you ever spoken to
 19 18 anybody from The Discovery Institute before
 20 19 that?
 21 20 A. I don't recall.
 22 21 Q. Did the board consult with anyone outside of the
 23 22 board about the language of the resolution that
 24 23 was adopted on October the 18th?
 25 24 A. Sure. I told you our attorney.
 26 25 Q. Anyone other than that?

Sheila Harkins 1/3/05

SHEET 24	PAGE 93	PAGE 95
1 00092	1 A. No, not that I know of.	1 00094
2 Q. Now, if you'd look at the -- go to the next page which is Page Number 150 and 151.		2 1 view.
3		3 2 Q. What's your view?
4		4 3 A. My view is I wanted to-- I encourage critical
5	4 A. Okay.	5 4 thinking.
6	5 Q. That's Enclosure XI-C to the agenda.	6 5 Q. Any other--
7	6 A. Yes.	7 6 A. And questioning.
8	7 Q. This is the language in bold at the bottom that was actually adopted, correct?	8 7 Q. Any other reasons--
9	8	9 8 A. No.
10	9 A. Yes, that's correct. Now wait a minute.	10 9 Q. --for you? That's the only reason for you why
11	10 MR. THOMPSON: On 151?	11 10 you--
12	11 A. No, not on 151, no. That's not the right one.	12 11 A. Yes.
13	12 BY MR. HARVEY:	13 12 Q. Now, do you know what any of the purpose -- why
14	13 Q. I'm sorry. Let's turn now to page-- We'll	14 13 any of the other board members voted for the
15	clarify this right now. If you turn to	15 14 resolution?
16	15 Page 159 -- I'm sorry, with 160, the very next	16 15 A. No, no idea.
17	16 page, it says there, on motion by Mr. Buckingham	17 16 Q. Was there any discussion about that?
18	17 and seconded by Mrs. Cleaver that the changes to	18 17 A. No.
19	18 the Biology I - Grade 9 Planned	19 18 Q. So the board meeting as a whole had no
20	19 Course/Curriculum Guide for the 2004-2005 school	20 19 discussion for the purpose of the resolution.
21	20 year as per Enclosure XI-A be approved with the	21 20 Am I correct about that?
22	21 amendment that the origins of life is not	22 21 A. Not to my recollection.
23	22 taught.	23 22 Q. In other words, to the best of your
24	23 A. Okay.	24 23 recollection, I am right that you don't remember
25	24 Q. That's actually that was passed six to three.	25 24 anything about the board discussing the purpose
26	25 A. Okay.	26 25 for the resolution, correct?

PAGE 94	PAGE 96
1 00093	1 00095
2 1 Q. So, in other words, it was the language of	2 1 A. That is correct.
3 2 Enclosure XI-A with the additional language, the	3 2 Q. Well, did the board discuss the purpose for
4 3 origin of life not taught?	4 3 including the words intelligent design in the
5 4 A. Yes.	5 4 resolution?
6 5 (Recess taken)	6 5 A. I don't recall any discussion why.
7 6 BY MR. HARVEY:	7 6 Q. Do you remember anybody communicating any views
8 7 Q. Now, let's go back to a subject you discussed	8 7 as to why that was included in the resolution?
9 just a couple minutes ago. And I would like to	9 8 A. I can only give you my view why I wanted it
10 know if you know what was the board's purpose in	10 9 included.
11 10 passing the resolution of October 18.	11 10 Q. I'm going to ask you about that in just a
12 11 A. It was to present more than one theory,	12 11 second. But what I'd like to know is if anybody
13 12 something besides just Darwin.	13 12 else communicated their views about why they
14 13 Q. Why did the board want to do that, present more	14 13 wanted that included.
15 14 than one theory?	15 14 A. No.
16 15 MR. THOMPSON: Objection. We're talking	16 15 Q. Why did you want that included?
17 about a board, and you're talking about the	17 16 A. As I said before, to give some other view other
18 motivations of several people. I don't think	18 17 than just Darwin and I felt to encourage
19 she's competent to say why the board did	19 18 critical thinking in any area of science.
20 something.	20 19 Q. What about the curriculum committee, did it have
21 20 BY MR. HARVEY:	21 20 any discussion of the purpose for the
22 21 Q. I'll ask the question.	22 21 resolution?
23 22 A. Me.	23 22 A. I don't remember any discussion.
24 23 Q. If you understand, why did the board want to	24 23 Q. Do you remember any members of the curriculum
25 24 present more than one theory?	25 24 committee expressing their views about the
26 25 A. I can't say why the board, but I can give you my	26 25 purpose for the resolution?

Sheila Harkins 1/3/05

SHEET 26 PAGE 101
00100

1 Q. Have you ever seen this page before?
 2 A. It doesn't look familiar to me at all. I don't recall ever seeing this, no.
 3 Q. Do you ever take notes during board meetings?
 4 A. Usually no, no.
 5 Q. Do you take notes during curriculum committee meetings?
 6 A. No.
 7 Q. Do you know if others take notes?
 8 A. Generally I didn't think they did. Casey does--
 9 Q. Casey did once in a while.
 10 MR. THOMPSON: It's past 12:00, and I think the agreement was this deposition would go to 12:00, and it's according to my watch five past 12:00.
 11 MR. HARVEY: The agreement was that it would go to 12:30.
 12 MR. THOMPSON: What's the lunch hour?
 13 MR. HARVEY: The lunch hour is 12:30 to 1:30.
 14 A. I don't know where this came from.
 15 BY MR. HARVEY:
 16 Q. Now, that's fine. You can just close that.
 17 Q. That was my question.
 18 A. Never saw it.

PAGE 103
00102

1 Q. --and the attachment. Is that right?
 2 A. Okay.
 3 Q. This is the statement that's going to be read to the students?
 4 A. Yes.
 5 Q. Well, actually it's not this whole thing. It's just the language at the bottom of the first page and the top of the second page?
 6 A. That's correct, those four paragraphs.
 7 Q. Who drafted that language?
 8 A. I would presume the administration did.
 9 Q. Do you know?
 10 A. No, I don't know.
 11 Q. Do you know if this was revised from what was originally in the press release?
 12 A. I believe it was because when I had initially read this, I felt there were grammatical errors, but I think there was some grammar changed.
 13 Q. Do you know whose idea it was to read this statement to students?
 14 A. No.
 15 Q. Did the board approve it?
 16 A. I'm not sure of that.
 17 Q. Do you know one way or another whether the board approved it?

PAGE 102
00101

1 Q. What's your understanding right now about what's going to happen with respect to the board's resolution, how it's going to be implemented in January?
 2 A. They're going to read that paragraph and that's it.
 3 Q. Which paragraph?
 4 A. That you had given me there.
 5 Q. The one that's referenced in the complaint?
 6 A. Yeah, yeah.
 7 Q. The one on Page 2?
 8 A. Yes. Is that it? Isn't that it? Oh, excuse me, that's not the full paragraph.
 9 Q. Are you looking at the Plaintiff's Exhibit 1?
 10 A. There's four paragraphs. There's four paragraphs.
 11 Q. Are you looking at a document?
 12 A. Yeah.
 13 Q. Can I see the document you're looking at?
 14 MR. THOMPSON: It was attached as Exhibit 1 to our answer.
 15 BY MR. HARVEY:
 16 Q. So now you're looking at Plaintiff's Deposition Exhibit 2--
 17 A. Yes.

PAGE 104
00103

1 A. No, I don't know one way or the other.
 2 Q. So it's your understanding that beginning in January this statement is going to be read to students?
 3 A. That's correct.
 4 Q. Do you know if students are going to be told anything else about these subjects?
 5 A. I'm sure they're not.
 6 Q. What if the students have questions, what are they going to be told?
 7 A. Teachers are not to respond. I think they've been told that. I believe the administration put out some type of memo that students can critically analyze, think, and question but answers won't be given.
 8 Q. I'm going to tell you that there is no such memo.
 9 A. Okay.
 10 MR. HARVEY: Correct, Counsel, because it would have been produced?
 11 MR. THOMPSON: I think the Paragraph 4 might respond to your question.
 12 A. Yes, there you go. With respect to any theory, students are encouraged to keep an open mind.
 13 The school leaves the discussion of the origin

Sheila Harkins 1/3/05

SHEET 27 PAGE 105
1 00104

2 1 of life to individual students and their
3 2 families. As a standards-driven district, which
4 3 we are, class instruction focuses on preparing
5 4 students to achieve proficiency on
6 5 standards-based assessments, yes.
7 6 BY MR. THOMPSON:
8 7 Q. What happens if a student says what is
9 8 intelligent design?
10 9 A. That's for you to find out for yourself and
11 10 determine the definition. That's what I would
12 11 think the teacher would respond with.
13 12 Q. Do you know that to be the case? Do you know
14 13 that to be true? Do you know that to be true?
15 14 MR. THOMPSON: Objection, vague question.
16 15 A. That is my understanding. There is no--
17 16 BY MR. HARVEY:
18 17 Q. What's the basis for your understanding?
19 18 A. Because the administration says -- agreed that
20 19 intelligent design will not be taught.
21 20 Q. But what's going to happen if a student asks the
22 21 question? That's what I don't understand. Is
23 22 that addressed anywhere?
24 23 A. A student asks the question. A student can be
25 24 as in any other situation where a teacher is
26 25 unfamiliar with the area is the student is

PAGE 107
1 00106

2 1 A. The only way I know that is I have read several
3 2 different scientists have supported the theory
4 3 of intelligent design.
5 4 Q. Where have you read that?
6 5 A. Oh, I don't know, in papers or something.
7 6 Q. Do you have copies of those papers?
8 7 A. No.
9 8 Q. Were they presented to the board?
10 9 A. I don't think so. I don't know that, no, unless
11 10 you have them.
12 11 Q. Were they discussed by the board?
13 12 A. I'm not sure. I don't recall.
14 13 Q. Do you know who these scientists were?
15 14 A. Not offhand, no.
16 15 Q. Do you know what--
17 16 A. They looked reputable.
18 17 Q. But when they said intelligent design, do you
19 18 know what they were talking about when they--
20 19 A. No, don't know.
21 20 Q. Do you know where the books Of Pandas and People
22 21 are going to be kept at the school?
23 22 A. In the library.
24 23 Q. Why in the library?
25 24 A. It appears to be the best place for them.
26 25 Q. Are they going to be available in the classroom?

PAGE 106
1 00105

2 1 encouraged to explore that subject on their own.
3 2 Q. So that's what the student would be told--
4 3 A. Certainly.
5 4 Q. --they should explore it on their own?
6 5 A. Yes.
7 6 Q. But what if they just said I just want to know
8 7 what intelligent design is?
9 8 MR. THOMPSON: Objection, that's vague and
10 9 hypothetical, but go ahead.
11 10 A. Then you need to find out that for yourself.
12 11 BY MR. HARVEY:
13 12 Q. Are they given any guidance on how to find that
14 13 out?
15 14 A. They are told Pandas and People is available.
16 15 Q. You said that you wanted the reference to
17 16 intelligent design in the resolution, correct?
18 17 A. Yes.
19 18 Q. You said that because you wanted students to
20 19 think critically?
21 20 A. Um-hum.
22 21 Q. Is that correct?
23 22 A. Yes.
24 23 Q. How do you know that intelligent design is
25 24 scientific in nature as opposed to religious in
26 25 nature?

PAGE 108
1 00107

2 1 A. Not that I'm aware of, no.
3 2 Q. Did you know that the superintendent originally
4 3 said that they would be available in the
5 4 classroom?
6 5 A. No, I did not know that.
7 6 Q. What about can the teachers teach about
8 7 creationism if they want to?
9 8 A. That's never been discussed.
10 9 Q. So they could if they wanted?
11 10 MR. THOMPSON: Objection. She's answered
12 11 the question, it's never been discussed.
13 12 BY MR. HARVEY:
14 13 Q. Can teachers teach about intelligent design or
15 14 creationism if they want to?
16 15 A. I have no clue.
17 16 Q. Are board meetings taped?
18 17 A. Yes.
19 18 Q. Who does the taping?
20 19 A. The administration.
21 20 Q. Who at the administration?
22 21 A. The secretary.
23 22 Q. Who is the secretary?
24 23 A. Changes.
25 24 Q. What do you mean it changes?
26 25 A. Well, it was Denise. Then it was Ed Hermans,

Sheila Harkins 1/3/05

SHEET 28 PAGE 109

1 00108
 2 1 and then it was-- Now it's Karen Holtzapple.
 3 2 Q. Do you know if the board meeting on October 18th
 4 3 was taped?
 5 4 A. Well, of course it would have been taped, yes.
 6 5 Q. Do you know if Mr. Wenrich had a disagreement
 7 6 with Mr. Buckingham at the end of the meeting on
 8 7 November 18th?
 9 8 A. No, I have no recollection.
 10 9 Q. Please take a moment to look at Deposition
 11 10 Exhibit 2. Please read the first four pages.
 12 11 I'd like to ask you some questions about that.
 13 12 I meant to say the first six pages, I'm sorry.
 14 13 Let me just ask you a few questions about this.
 15 14 Have you ever discussed the No Child Left Behind
 16 15 Act of 2001 with anyone on the board?
 17 16 A. Yes.
 18 17 Q. Have you discussed it in the context of the
 19 18 biology curriculum?
 20 19 A. I'm not sure.
 21 20 Q. The language that's quoted here on Pages 2 and
 22 3-- Well, first of all, let me ask the
 23 22 question, have you ever read this before, the
 24 23 language you just read on Pages 1 through 6?
 25 24 A. Yes.
 26 25 Q. What parts had you read before?

PAGE 111

1 00110
 2 1 Left Behind Act that referred to science or
 3 2 intelligent design?
 4 3 A. I had heard something.
 5 4 Q. What had you heard?
 6 5 A. I don't recall exactly what I heard.
 7 6 Q. Anything about it, do you remember?
 8 7 A. Not particularly, no.
 9 8 Q. Was it in the context of a board meeting?
 10 9 A. Not sure where.
 11 10 Q. There's some language quoted on Page 4 here from
 12 11 two Supreme Court cases?
 13 12 A. Page 4?
 14 13 Q. Yes.
 15 14 A. Okay.
 16 15 Q. Do you see that? Had you ever heard of any of
 17 16 that language before?
 18 17 A. No.
 19 18 MR. HARVEY: Please mark this as Deposition
 20 19 Exhibit Number 7.
 21 20 (Plaintiff's Deposition Exhibit #7 marked
 22 21 for identification)
 23 22 BY MR. HARVEY:
 24 23 Q. I've handed you what has been marked as
 25 24 Plaintiff's Deposition Exhibit Number 7. It's a
 26 25 page from the website of the Thomas More Law

PAGE 110

1 00109
 2 1 A. I'm not sure.
 3 2 Q. You're not sure?
 4 3 A. You're saying did I ever read this before?
 5 4 Q. Pages 1 through 6, the portions that you just
 6 5 read, had you ever read any part of it before
 7 6 today?
 8 7 A. Yes.
 9 8 Q. Which parts?
 10 9 A. I'd say all of it.
 11 10 Q. When did you read it?
 12 11 A. Last night.
 13 12 Q. Before that, had you ever read it?
 14 13 A. No.
 15 14 Q. Any part of it?
 16 15 A. I'm not sure.
 17 16 Q. You don't recall reading--
 18 17 A. No.
 19 18 Q. --any part of it before. Is that correct?
 20 19 A. I don't recall reading any part before, that's
 21 20 correct.
 22 21 Q. Before last night?
 23 22 A. That's correct.
 24 23 Q. Before last night, were you aware of any
 25 24 language in the legislative history of the No
 26 25 Child -- the Santorum amendment to the No Child

PAGE 112

1 00111
 2 1 Center.
 3 2 A. Okay.
 4 3 Q. Have you ever been to that website?
 5 4 A. Nope.
 6 5 Q. Have you ever visited any websites about
 7 6 intelligent design or any of the subjects in
 8 7 this lawsuit?
 9 8 A. I may have visited some on intelligent design
 10 9 but never theirs.
 11 10 Q. Do you know which one you visited?
 12 11 A. No.
 13 12 Q. Now, the Thomas More Law Center is representing
 14 13 the district in this lawsuit?
 15 14 A. Yes.
 16 15 Q. They're providing that representation free of
 17 16 charge?
 18 17 A. Excuse me?
 19 18 Q. They are providing that representation free of
 20 19 charge?
 21 20 A. To the best of my knowledge.
 22 21 Q. Now, this document which comes from their
 23 22 website says referring to the Thomas More Law
 24 23 Center, quotes, I'm reading the second full
 25 24 paragraph, our purpose is to be the sword and
 26 25 shield for people of faith, providing legal

Sheila Harkins 1/3/05

SHEET 29 PAGE 113

1 00112
 2 1 representation without charge to defend and
 3 2 protect Christians and their religious belief in
 4 3 the public square.
 5 4 A. Okay.
 6 5 Q. Did you know that that was the purpose of the
 7 6 Thomas More Law Center?
 8 7 A. No, I did not.
 9 8 Q. Did you have any understanding of why the Thomas
 10 9 More Law Center was representing the district
 11 10 for free?
 12 11 A. You don't look a gift horse in the mouth.
 13 12 Q. So, in other words, you don't have any
 14 13 understanding of why they were doing it for
 15 14 free?
 16 15 A. No.
 17 16 Q. You didn't ask any-- That didn't raise any
 18 17 question in your mind?
 19 18 A. Explain that further.
 20 19 Q. You had no question in your mind about why the
 21 20 Thomas More Law Center would represent the
 22 21 district for free. Isn't that correct?
 23 22 A. Right, that's correct.
 24 23 Q. Please go to Exhibit 5, the one with the rubber
 25 24 band around it. Go to the very last -- the very
 26 25 end of it. There's two pages at the end.

PAGE 114

1 00113
 2 1 A. Yes.
 3 2 Q. I don't want you to read the whole thing because
 4 3 we're running out of time here, but I just want
 5 4 you to look at it and tell me whether you've
 6 5 ever seen these two pages before.
 7 6 A. No, I haven't.
 8 7 Q. Please look at the second page as well.
 9 8 A. Am I supposed to-- Do you want me to read the
 10 9 whole thing or not?
 11 10 Q. You don't need to read it. I just want you to
 12 11 look at it long enough to tell me whether you've
 13 12 ever seen it before or not.
 14 13 A. No, I've never seen it before.
 15 14 Q. Is the district going to give students the
 16 15 option of not sitting in the class when the
 17 16 statement about intelligent design is read?
 18 17 A. We give parents options to excuse their student
 19 18 for anything they object to. That's a standard.
 20 19 Q. Did you know that there was anything special
 21 20 with respect to this that was being prepared to
 22 21 give students an option to not be present?
 23 22 A. I think Mike may have mentioned it sometime.
 24 23 Q. Do you know if the board approved it?
 25 24 A. No, the board did not.
 26 25 Q. You have a board meeting tonight, right?

PAGE 115

00114
 1 1 A. Yes.
 2 2 Q. Do you know the subjects to be discussed
 3 3 tonight?
 4 4 A. I have the agenda, but it was nothing -- just
 5 5 normal. It was nothing-- Why?
 6 MR. THOMPSON: Just answer the question.
 7 MR. HARVEY: I don't have any further
 8 8 questions, but just let me confer with my
 9 9 co-counsel for just a second.
 10 (Recess taken)
 11 MR. HARVEY: Thank you for your time today.
 12 (The deposition concluded at 12:28 p.m.)
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

PAGE 116

00115
 1 COMMONWEALTH OF PENNSYLVANIA :
 2 COUNTY OF YORK :
 3 I, Bethann M. Mulay, Reporter and Notary
 4 Public in and for the Commonwealth of
 5 Pennsylvania and County of York, do hereby
 6 certify that the foregoing deposition was taken
 7 before me at the time and place hereinbefore set
 8 forth, and that it is the testimony of:

SHEILA HARKINS

I further certify that said witness was by
 me duly sworn to testify the whole and complete
 truth in said cause; that the testimony then
 given was reported by me stenographically, and
 subsequently transcribed under my direction and
 supervision; and that the foregoing is a full,
 true and correct transcript of my original
 shorthand notes.

I further certify that I am not counsel for
 or related to any of the parties to the
 foregoing cause, or employed by them or their
 attorneys, and am not interested in the subject
 matter or outcome thereof.

Dated at York, Pennsylvania this 4th day of
 January, 2005.

Bethann M. Mulay
 Registered Professional Reporter
 Notary Public

The foregoing certification of this
 transcript does not apply to any reproduction of
 the same by any means unless under the direct
 control and/or supervision of the certifying
 reporter.

Sheila Harkins 1/3/05

#	5 [4] 3:13 85:22 100:23 113:23 50 [2] 71:20 72:16	allegiance [4] 41:3,5,11 42:17 allis [1] 13:22 allow [1] 52:6 alone [1] 19:17 already [10] 38:11 46:12,22,22 47: 7 58:2 67:22 75:22 79:19 80:6 amendment [2] 93:21 110:25 amicable [1] 100:20 amount [2] 22:5 25:6 analyze [1] 104:14 ancestor [3] 21:10,15 81:9 and/or [1] 116:24 angie [4] 27:9,11,13,17 ann [1] 99:2 another [3] 6:19 69:2 103:24 answer [29] 3:11 5:14,19,25 7:6, 25 16:5,12,12 17:21 18:9,18 20:2, 11 22:17,23 23:4,8 36:21 37:20 68:11 73:20 78:4 80:8 81:4 84:16 91:22 102:21 115:6 answered [7] 21:17 22:11 74:1 81: 4,12 82:2 108:10 answers [1] 104:15	attached [2] 87:20 102:20 attachment [1] 103:1 attachments [1] 86:24 attempted [1] 77:16 attend [5] 15:2,25 16:14,18,24 attendance [1] 53:12 attended [3] 8:15 13:13 99:20 attorney [2] 7:14 92:24 attorney-client [3] 7:5 90:10 91: 21 attorneys [2] 91:5 116:14 audibly [1] 5:20 audience [1] 51:13 august [1] 60:6 authority [1] 19:1 authorizing [1] 4:21 available [3] 106:14 107:25 108:3 aware [12] 16:6 25:4,19 26:23 60: 18 84:24 87:12,25 88:18 89:3 108: 1 110:23 away [2] 26:21 50:24
1	1 [7] 3:10 84:16,18 102:14,20 109: 23 110:4 1:30 [1] 101:20 10 [1] 64:19 10th [1] 45:20 11:00 [2] 52:24 69:7 11th [1] 48:12 12/31/04 [1] 32:2 12:00 [3] 101:12,14,15 12:28 [1] 115:12 12:30 [2] 101:17,19 13 [1] 5:5 139 [1] 86:7 145 [1] 86:14 146 [2] 87:5,8 147 [1] 87:8 148 [1] 87:19 149 [1] 87:20 14th [2] 48:17 50:11 150 [1] 93:3 151 [3] 93:3,10,11 159 [1] 93:15 15th [4] 49:15,16,24 54:21 160 [1] 93:15 18 [4] 84:21 85:6,10 94:10 18th [1] 23:18 28:18 59:25 61:15 76:14 82:18 84:4 92:23 97:15 109: 2,7 1985 [1] 13:3	8 [2] 111:19,24 7th [1] 27:23	A
2	2 [7] 3:11 84:12,17 102:11,24 109: 10,20 2,000 [3] 42:25 43:11 51:4 2001 [1] 109:15 2002 [3] 30:22 32:22 54:16 2003 [2] 45:7 85:7 2004 [9] 30:23 34:11,15 47:20 48: 17 49:15 54:22,25 84:21 2004-2005 [1] 93:19 2005 [1] 5:5 20th [3] 97:23 98:1,8 220 [1] 35:13 226 [1] 19:10 24 [1] 3:12 249 [1] 19:13	ability [1] 5:16 absolutely [1] 20:20 access [1] 19:22 accordance [1] 21:24 according [1] 101:14 achieve [1] 105:4 aclu [2] 65:20 66:24 act [4] 19:18,21 109:15 111:1 act's [1] 19:24 action [1] 1:3 actions [1] 25:20 actor [2] 80:4,21 actually [8] 34:16 48:14 87:1 93:8, 24 98:7,10 103:6 added [1] 99:18 addition [3] 10:5 23:19 60:14 additional [1] 94:2 addressed [2] 77:20 105:22 addressing [1] 42:24 administration [15] 9:2 10:25 30: 12 56:6,13 57:4,6,10 87:16 91:6 103:11 104:12 105:18 108:19,20 administrators [1] 64:15 admitted [1] 98:13 adopted [4] 59:21,24 92:23 93:8 advanced [1] 88:14 advil [1] 52:14 advisory [4] 57:11 68:14,21,23 affect [1] 28:5 agenda [3] 86:9 93:5 115:4 ages [1] 14:22 aggressively [2] 46:2,15 ago [10] 29:8,9 41:1,8 42:21,25 43: 11 51:4 53:24 94:8 agree [1] 5:9 agreeable [1] 5:8 agreed [1] 105:18 agreement [4] 60:11,12 101:13,16 ahead [6] 64:5,7 74:1 80:8 81:4 106:9 alan [5] 12:13 39:13 46:1 83:17 99: 19 alan's [1] 83:2	b-o-r-g-e-r [1] 79:1 back [14] 11:18 23:3 29:25 30:23 54:16,16 61:24,24 62:6,7 65:20 69:17 94:7 100:22 background [1] 15:20 baksa [10] 8:12 30:25 59:1 62:17 63:18 64:12 67:9,16 71:22 92:4 balance [4] 40:4 46:5,20 48:23 balanced [1] 37:15 band [3] 86:5 100:23 113:24 barrie [2] 29:14 69:3 basis [8] 22:8 23:2 25:8 49:7,8,9 61:20 105:17 bawling [1] 44:7 bear [1] 24:20 become [1] 15:16 bed [1] 6:8 began [2] 27:21 28:22 begin [6] 4:15 5:25 7:25 28:25 29: 7 57:3 beginning [3] 59:7,10 104:2 begins [1] 99:15 behind [6] 82:11 87:3,5,19 109:14 111:1 belief [3] 18:20 19:4 113:2 beliefs [5] 16:5,10 20:17 40:13,15 believe [56] 12:15,16,16 18:7,14 23:23,24 24:2 26:25 27:7,17,24 29:1 30:20,25 33:3 37:6,8,9,10,17, 21 38:3,8,10,11,25 39:1 44:17 45: 8,11 46:23 47:14 51:21 53:24 54: 7 59:5 65:2 66:4 67:14 68:15,20 69:24,25 71:22 77:10,17 78:12,19, 23 79:2 85:8 87:4 100:6 103:16 104:12 believed [1] 83:20 bell [1] 91:11 bernhard [1] 49:22 besides [1] 94:12 best [6] 5:15 45:9 79:21 95:22 107: 24 112:20 bethann [2] 116:3,20
3	3 [1] 109:21 3:00 [1] 59:6 36 [2] 14:24 100:24		
4	4 [6] 3:12 24:16 97:22 104:21 111: 10,12 496 [1] 19:10 4th [1] 116:16		
5			

Sheila Harkins 1/3/05

better [1] 45:8	19 32:19,25 33:8,22 35:24 37:2, 13,22 38:18 40:3,8,21 41:9,15 42: 15 43:6,10 46:2,5,8,14,19 48:21 50:11,20 52:3 53:11,21,25 59:1 62:18 89:6,9 93:16 98:12,20,25 99:11,19,25 109:6	civil [2] 1:3 21:24 clarification [1] 38:7 clarify [1] 93:14 class [2] 105:3 114:15 classroom [3] 5:5 107:25 108:4 clear [3] 15:8 18:18 19:23 21:25 47:22 79:20 83:25 85:16	constitutionality [1] 19:5 consult [3] 17:16 20:18 92:21 consulted [2] 68:24 88:24 contacted [1] 26:1 contacting [1] 90:20 contests [1] 79:7 context [4] 41:2 42:19 109:17 111: 8
between [6] 4:2 40:4 48:23 75:1,3, 6	bible [9] 17:12,14 50:22 52:5,8 53: 4 54:8,13,15	buckingham's [2] 52:2 53:3 buddhists [3] 40:13 43:8,16 build [1] 13:9 burt [1] 58:25 business [3] 62:3 63:9,10 buyer [1] 13:5 buying [2] 29:4 30:9 byron [3] 78:23,25 79:1	cleaver [2] 23:21 93:17 client [1] 7:6 clifton [1] 20:10 close [7] 40:16,18 46:9 50:23,24 52:7 101:23 clue [2] 81:24 108:15 co-counsel [1] 115:9 cold [1] 52:13 college [5] 13:13,21,23,24,25 come [8] 29:25 33:6 59:3 65:24 78: 10 82:20 97:8,12
bit [1] 40:1	black [1] 50:23	comes [2] 25:16 112:21 coming [1] 30:9 calls [3] 61:16 68:7,12 came [6] 29:10,15 51:14 62:23 78: 7 101:21	conviction [1] 19:15 copies [4] 71:12,15 72:16 107:6 copy [1] 9:16,17 17:12 69:12,14, 16,23 76:16,19 77:25 85:22
board [129] 11:3,6,15 12:3 15:4,6, 16 19:8 23:14,18 27:23,24 29:15, 25 31:2,9,17,20 32:19 33:7 34:11 35:2,14 36:16,22 38:19,23 39:12, 20 40:9 41:4,11,15 42:24 43:14, 17,20 44:8 45:3,25,25 46:13,13 47:3,24 48:21 49:10 50:9,13 51:8 54:11,22,24 55:20,21 57:7,8,12,20 58:7 59:21,24 60:16,20,23 61:1,2, 8,12,17 62:3,3,4 63:6,7,9,10,22 64: 4,14,19,19 67:10,17,23 68:3,16 69: 24 72:5,21 73:17,19 75:9,20 76: 13 83:7 84:3,6,22 85:6,9 87:21 90: 13 92:3,21,22 94:13,16,18,23,25 95:13,18,24 96:2 97:13 98:14 101: 4 103:22,24 107:8,11 108:16 109: 2,15 111:8 114:23,24,25	correct [59] 11:4 18:5 23:22 36:13, 14 38:12,13 41:17,19 42:12,18 43: 9,13 45:4,5,7,11 46:25 47:8,9,51: 1 53:14 54:17 55:13,14 56:17 57: 17 58:1,4,5 60:7 62:13,15 66:11 67:1 69:3 76:5 79:20 82:1,18 85:8 86:10 87:4 93:8,9 95:20,25 96:1 103:9 104:5,19 106:16,21 110:18, 20,22 113:21,22		
board's [1] 8:21 9:9 10:10 25:4, 20 26:18 28:18 61:14 82:18 94:9 102:2	bold [1] 93:7	committees [4] 11:14,17 12:6,20 common [4] 8:2 21:10,15 81:9 commonwealth [1] 116:1 communicated [1] 96:12 communicating [1] 96:6 community [5] 13:24 19:9 75:21, 23 79:7	correctly [7] 33:10 40:19,20 46:9, 10 52:16 56:8
bonsell [8] 11:12:13 23:20 39:13 46:1,14 99:19 100:1	book [39] 17:8 18:3,15 28:16 30:7, 10,15,16,22,24 31:3 33:5,9,16,19 37:3,14,15 38:19 39:4 40:3 46:3, 16 48:22 49:17 50:14 52:5 64:8 69:10,12 70:10,13,16 71:6,12 72: 16 73:3,5 88:4	compendium [1] 24:24 competent [1] 94:18 complained [3] 29:10,15 69:4 complaining [1] 30:7 complaint [5] 3:10 9:23 84:15,18 102:9	courses [2] 13:17 14:5
books [12] 29:21,23,23,24 30:1,2,8 31:1 35:13 72:23,24 107:20	change [19] 12:20,21 57:5,13 59: 17 60:9,21 61:3,6,9 62:25 63:1 66: 9 67:21 68:24 74:15 86:15 87:20 88:13	complete [3] 5:24 59:23 116:8 completely [2] 48:1 52:17 complex [1] 61:21	court [12] 1:1 4:13,21 5:1,20 13:18 20:19 22:24 23:5 62:7 90:2 111: 11
bottom [6] 39:12 86:4 87:11 93:7 98:11 103:7	changed [2] 56:12 103:18	compound [1] 61:21	courtesy [1] 8:3
bought [2] 29:19,21	changes [10] 55:18,22 56:16 57:3 58:10 68:19 87:16 93:17 108:23, 24	computer [3] 9:5,7 32:7	cover [4] 70:4,4,20 87:15
bowman [1] 45:22	chapter [1] 29:22	concepts [1] 70:19	coverage [1] 26:17
break [3] 52:20,23 69:7	charge [3] 112:16,19 113:1	concern [2] 9:22 16:6	covered [6] 70:19,23 71:1 72:17 90:9 91:21
bridget [1] 19:9	charlotte [4] 52:2,8 54:1,6	concerned [3] 16:3 28:16 47:17	created [1] 81:1
briefly [2] 4:13 79:24	check [1] 11:18	concerning [1] 18:20	creation [5] 17:7 18:3,16 46:3,17
bring [1] 22:23	child [4] 29:16 109:14 110:25,25	concise [1] 22:1	creationism [15] 28:5 33:9,16 35: 21 38:20 39:4,6,14 40:5 48:23 55: 1,10 61:14 108:7,14
brown [8] 12:16 23:21 33:8 42:3,4 43:3 44:1 59:3	children [2] 14:20,25	concluded [1] 115:12	creatures [1] 81:8
bryan [1] 1:3	christian [4] 40:5 43:5 53:13 98: 13	conclusion [2] 68:8,12	critical [2] 95:3 96:18
buckingham [44] 8:11 12:15 23:	christianity [1] 40:17	conduct [1] 22:18	critically [2] 104:14 106:19
	christians [2] 50:24 113:2	conducting [2] 4:14 21:23	cross [3] 43:1,11 51:5
	chronological [1] 31:25	confer [1] 115:8	cupboard [1] 30:3
	church [8] 15:25,25 16:14,15,16 33:23 46:7,25	conference [1] 7:14	curious [1] 72:22
	citizens [1] 57:11	conflict [1] 23:11	curriculum [64] 11:20,23 12:2,10 25:5,21 26:19 28:16 32:20 33:6 39:2 55:19,23 56:16 57:2,5,8,18

Sheila Harkins 1/3/05

58:2,6,8,8,9,11,12,16 59:17,18,19 60:9,17,20 61:3,6,9 62:5 65:8,9 66:8 67:21,25 68:4,14,19,20,21,23, 25 86:14 87:21,22 88:7,9,14,22,25 96:19,23 97:3 98:4,9,14 101:6 109:18 cycle [2] 30:8,9	D daily [25] 24:25 25:8,11,14,17,19 26:24 27:7 34:18 35:25 36:13 37: 1 44:21 45:19 48:16 49:6,7,8,9,14, 24 54:20 97:22,25 98:7 dallastown [5] 9:23 76:10,24 77:1 79:13 darwin [2] 94:12 96:17 darwin's [4] 48:23 84:25 87:12 88: 1 darwinism [2] 32:23 51:12 date [2] 32:3,13 dated [1] 116:16 daughter [1] 14:23 david [1] 2:9 day [3] 23:1 41:9 116:16 debate [1] 49:18 decide [1] 97:9 decided [1] 62:24 declined [1] 37:4 defend [1] 113:1 defendant [1] 84:21 defendants [4] 1:10 2:8 3:13 85: 24 defending [1] 98:16 define [1] 74:15 defined [1] 73:10 definite [1] 100:10 definition [7] 73:12,15 74:6,10,11 80:16 105:10 definitions [3] 21:4 80:14 82:5 deliberating [1] 27:3 deliberations [2] 25:4 26:19 delicate [1] 17:22 denise [1] 108:25 department [4] 29:19 30:12 58:20, 22 depew [1] 2:9 deposition [24] 4:14,20 5:6 6:5,15 7:22 8:14 21:23 22:4,18,19 24:12 76:20 84:12 85:18,24 97:22 101: 13 102:23 109:9 111:18,20,24 115:12 depositions [2] 4:22 5:2 derived [1] 21:15 descended [1] 37:14 describe [1] 73:13 describes [1] 18:3 design [75] 8:21 9:8,25 10:7,10 28: 19 55:1 61:14 64:17 70:20,22 71: 9 72:18 73:9,10,14,18,24 74:8,10, 14,22,24 75:9,17 76:4,23 77:5,9, 15,16,17,19,22 78:2 79:5,14,18,23 80:2,8,12,19,25 81:7,15,25 82:3,9, 17 84:3 85:2 88:3,19,25 89:2 96:3 97:5 98:17 99:18 100:2,5,13 105: 8,19 106:7,16,23 107:3,17 108:13	duly [2] 4:9 116:8 designed [3] 74:18,19,20 designer [4] 74:21 82:1,11,12 desire [2] 72:18,20 determine [2] 4:23 105:10 determining [1] 5:3 devout [1] 98:13 died [3] 43:1,11 51:5 difference [4] 74:25 75:2,3,6 different [10] 9:12 13:17 18:1 26: 11 38:4 39:7 75:10 81:16 87:24 107:2 differing [2] 83:13,15 direct [5] 7:6 16:12 18:8,17 40:14 directly [1] 87:3 directors [5] 11:3 31:2,9 84:22 90: 13 disagree [1] 5:10 disagreed [1] 39:13 disagreement [6] 42:3,5 44:2,10, 12 109:5 disapprove [1] 19:24 discovery [13] 4:22 89:15,18,22, 24 90:5,21,23 91:13,14,18 92:11, 18 discuss [6] 31:3 41:11 65:3 91:18 96:2 99:25 discussed [21] 31:19 47:4,5 58:3 59:16 60:2 62:22 73:1,3,6 84:3 88: 22 91:17,23 94:7 107:11 108:8,11 109:14,17 115:2 discussing [2] 27:3 95:24 discussion [15] 28:15 29:7 35:16, 17 41:13 46:12 47:10 82:22 85:14 95:16,19 96:5,20,22 104:25 discussions [4] 35:4 50:14 61:11 62:9 dispatch [13] 24:25 25:12,15 28:1, 11 32:1,16 36:3,5,8,12 48:11,14 dispute [2] 33:15,25 disrupting [1] 22:4 district [20] 1:1,9 11:3 20:9 28:4 31:2,9 39:17 48:22 64:20 71:13 72:17 84:22 90:13 99:20 105:2 112:13 113:9,21 114:14 disturbed [1] 32:21 document [5] 31:23 84:11 102:17, 19 112:21 documents [13] 3:13 6:12,25 7:9 8:17,23 9:1,3,7 10:6,22 85:23,25 doing [2] 56:14 113:13 donated [7] 71:12,15,23 72:6,11, 16,23 donating [1] 72:24 donation [2] 73:2,6 done [4] 6:4 14:5 26:4 72:19 door [1] 25:16 dover [7] 1:9 11:2 15:2 28:3 48:21 84:21 98:9 down [15] 5:22 6:1 33:4 35:10 39: 11 40:1 51:11,11 52:1 53:7,10,12, 22 74:18 99:15 dozen [1] 9:20 drafted [3] 89:4,6 103:10 dug [1] 45:11	duly [2] 4:9 116:8 during [9] 31:14 45:24 50:13,22 52:1 53:11 76:20 101:4,6 E e-mail [10] 76:6,6,9,16,22 77:13,24 78:6,14 79:16 e-mailed [1] 76:11 e-mails [8] 9:8,11,18,22 10:5 60: 23 61:7,15 earlier [1] 55:11 earth [1] 18:4 ed [1] 108:25 edition [2] 30:18 32:22 editor [1] 9:24 education [11] 13:11,11 14:1,4 15: 18,19,19,20,23 19:8 37:16 effect [2] 33:24 34:3 eight [1] 7:18 election [2] 41:9,10 80:10 enacted [1] 19:21 enclosure [4] 87:6 93:5,20 94:2 enclosures [1] 87:1 encourage [2] 95:3 96:17 encouraged [2] 104:24 106:1 end [4] 59:10 109:6 113:25,25 ended [2] 30:5 44:6 endorse [1] 19:24 enough [1] 114:11 entire [2] 45:14,16 entirely [2] 22:3 83:23 entitled [1] 98:8 equal [1] 19:22 errors [1] 103:17 eshbach [1] 58:25 esq [1] 2:7 estimate [1] 70:8 even [14] 9:14 12:20 19:13,14 26: 11 27:1 36:18,18 48:6 74:13 80:5 97:7,8,8 evening [1] 6:22 events [2] 27:21 52:16 everybody [3] 42:14 66:23,24 everyone [2] 60:11 66:9 everything [1] 75:14 evidence [2] 16:4 82:14 evolution [36] 8:22 9:9 10:11 17:7 20:22,24,25 21:3,7,13,21 22:14 23:10,15 24:5,10 33:10,17 37:5 38:20 39:5,14 40:5,16 48:24 52:3 55:2,10 61:13 63:17 64:17 81:17 85:1 87:13 88:2,16 evolve [6] 20:25 21:8,10,11,18 81: 8 exact [1] 42:1 exactly [4] 43:22 63:24 77:12 111: 5 examination [1] 4:10 except [2] 4:5 34:22 exception [1] 85:25 excuse [8] 17:18 31:12 87:1,7 97: 24 102:12 112:17 114:17 executive [2] 90:8,12 exhibit [22] 3:9 24:12,16,18 48:11 84:16,17,18 85:18,21,22 87:8 97: 10
---	---	---	--

Sheila Harkins 1/3/05

fourth [2] 45:17 51:25	happened [7] 29:9,12 30:4,14,21	included [8] 33:16,19 96:7,9,13,15	17 32:1,13 34:11,15 35:2 36:1,11,
frame [1] 60:4	59:13 61:17	includes [3] 33:7 46:3,16	12,23 37:1 39:21 44:21,22 45:4,
free [6] 77:13 112:15,18 113:10,14,	happens [1] 105:7	including [6] 42:3 66:24 85:1 88:2	10,20 47:3,20 48:11,17 49:15,16,
21	hardly [1] 35:7	96:3 97:4	24 50:10 53:5 54:21,22,25 59:8,
friend [2] 78:12 79:4	harkins [7] 4:8,12 5:13 24:15 33:7	inclusion [1] 100:13	10,14 60:3,4,5 69:22
front [1] 31:24	51:22 99:20	incorrect [5] 26:2,25 27:8,10 57:	K
full [7] 17:3 43:24 98:11,24 102:13	harvey [75] 4:11,12 5:9,12 7:8,16,	16	karen [1] 109:1
112:23 116:10	20 10:20 16:8,13 18:2,10,23 19:1,	incorrectly [1] 27:18	keep [5] 22:12 67:25 68:5 86:6
fully [1] 52:17	6,11 20:1,7,18,21 21:22 22:16 23:	indicated [4] 21:18,20 80:7,13	104:24
further [6] 21:19 40:1 53:7,10 113:	3,7 24:14 28:9,13 34:16,20 38:6,9	individual [1] 105:1	kept [2] 68:2 107:21
18 115:7	44:3 50:2 52:23 53:2 61:25 62:11	inexcusable [1] 37:13	kids [1] 79:8
G	68:13 69:6,9 74:3 76:18,21 80:11,	informal [2] 14:4,8	kind [2] 58:18,21
gaps [3] 59:20 65:10 87:12	17,18 81:6,14 82:6,16 84:14 85:	information [2] 30:13 89:2	kinds [1] 82:4
gaps/problems [2] 84:25 87:25	20 90:11,17 91:22 92:1,14,15 93:	initially [2] 29:21 103:16	king [1] 17:24
gave [1] 57:21	12 94:6,20 98:4,6 101:16,19,22	input [2] 57:9,21	kitzmiller [1] 1:3
gawthrop's [1] 20:10	102:22 104:19 105:16 106:11 108:	inquisition [1] 20:16	knowledge [8] 5:15 33:22 45:9 56:
geesey [1] 23:19	12 111:18,22 115:7,11	institute [12] 89:15,18,22,24 90:6,	7 61:11 97:13 99:6 112:20
general [9] 55:15,22 56:10,15 73:	head [3] 11:14,21 32:19	21,23 91:13,14,18 92:11,18	known [1] 79:6
13,16 74:7,13 83:12	headline [1] 49:18	instruct [2] 20:11 22:22	L
generally [6] 31:11 41:25 56:11	hear [5] 13:6 15:13 32:25 45:2,6	instructing [1] 20:1	laced [1] 32:23
70:11,15 101:10	heard [5] 34:2 111:3,4,5,15	instruction [2] 18:12 105:3	ladies [1] 52:25
generated [1] 25:6	hearing [3] 65:2 66:3,4	intell [1] 81:22	lane [1] 1:17
generation [1] 50:21	hearings [1] 67:15	intelligence [4] 81:20,22,23 82:15	language [14] 89:4,7 92:22 93:7
genesis [4] 17:8 18:3,15 52:5	heaven [1] 18:4	intelligent [78] 8:21 9:8,25 10:7,	94:1,2 100:14 103:7,10 109:20,23
gentleman [1] 6:19	heid [1] 49:22	10 28:19 55:1 61:14 64:17 70:20,	110:24 111:10,16
gentlemen [3] 91:17 92:8,10	held [1] 36:23	22 71:9 72:18 73:8,10,14,18,24	large [1] 75:21
getting [3] 7:5 16:4 26:20	help [5] 32:5 36:15,21 54:23 55:4	74:8,10,14,22,24 75:9,16 76:4,23	larry [1] 72:6
gift [1] 113:11	helped [1] 7:9	77:5,9,15,21 78:1 79:5,14,18,23	last [22] 4:13 6:22 7:17 8:8,15 12:
gillen [2] 6:20 8:7	hereby [3] 4:2,4 116:4	80:2,4,7,12,19,21,25 81:1,7,15,25	10 23:3 25:5 29:14 40:2,11 48:20
give [15] 8:3 17:3 21:4 43:24 69:21	hereinbefore [1] 116:5	82:1,3,9,11,12,17 84:2 85:2 88:3,	50:13 58:3,19 89:21 90:2 98:11
73:11 74:10 75:19 83:18 94:25 96:	hermans [1] 108:25	19,25 89:2 96:3 97:5 98:17 99:18	110:11,21,23 113:24
8,16 114:14,17,21	high [5] 32:21 35:11 50:14 55:19,	100:1,5,13 105:8,19 106:7,16,23	later [2] 55:18 66:18
given [4] 102:8 104:15 106:12 116:	23	107:3,17 108:13 111:2 112:6,8	law [15] 18:18 19:21 46:8 89:10,23
9	highest [1] 13:10	114:16	90:1 98:16 99:2,2 111:25 112:12,
gives [1] 37:15	highly [1] 20:7	interested [4] 28:11 72:24 98:16	22 113:6,9,20
glanced [1] 70:6	hindus [3] 40:13 43:8,16	116:14	lawsuit [7] 8:20 10:23 25:3 91:19,
glancing [1] 70:12	history [1] 110:24	interject [1] 22:25	23 112:7,13
god [10] 27:4,16 41:3,5,14 42:6,9,	hold [1] 28:4	interpretation [1] 77:10	lawyer [1] 90:8
16 43:4,5	holding [1] 69:14	interrupt [1] 22:19	least [1] 64:3
got [6] 8:10:9 29:23 30:6,17 65:	holds [1] 21:13	introduction [1] 84:20	leaves [1] 104:25
20	holtzapple [1] 109:1	invalidate [1] 19:18	lecture [1] 22:11
gotten [2] 21:19 30:23	home [6] 8:19 10:6 12:22,24 13:2	involved [2] 81:21 82:15	led [2] 25:2 28:17
grade [2] 86:15 93:18	17:12	involving [1] 73:1	left [2] 109:14 111:1
grammar [1] 103:18	honest [1] 49:5	isn't [6] 10:17 18:4 76:5 91:12 102:	legal [8] 65:6,13 66:10 68:7,12 98:
grammatical [1] 103:17	horse [1] 113:11	12 113:21	17 99:1 112:25
grants [1] 19:22	hour [4] 52:21 70:8 101:18,19	issue [3] 42:24 47:17,25	legislative [2] 19:19 110:24
grounds [4] 20:3,4,5,12	hours [1] 6:24	issues [5] 22:24 28:17 29:1 65:13	legislators [2] 19:13,15
group [1] 65:5	house [1] 9:4	99:3	legislatures [1] 19:20
growing [1] 50:20	how's [1] 68:9	issuing [1] 41:14	less [3] 9:20,20 66:22
guess [4] 54:10 69:18,19,20	hundred [1] 63:5	J	letter [2] 9:24 79:4
guesstimate [1] 6:24	husband's [1] 14:18	james [1] 17:24	letters [1] 61:16
guidance [1] 106:12	hydro [4] 13:5,7,8,19	january [3] 5:5 102:4 104:3	letting [1] 17:23
guide [2] 86:16 93:19	hydroelectric [1] 13:9	jeff [4] 42:3,14 43:3 83:5	level [1] 13:10
guys [1] 91:4	hypothetical [1] 106:9	jen [1] 58:25	liberals [1] 50:22
H	I	joe [5] 26:3 36:18 37:10 45:11 49:	library [3] 3:12 107:22,23
half [1] 9:20		12	lieb [1] 1:4
hall [2] 20:10 32:22		joel [1] 1:4	lies [1] 52:4
hamilton [1] 2:2		joseph [1] 49:25	life [10] 21:14 80:3,20 81:1 82:10,
hand [1] 84:11		judge [2] 5:2 20:9	11 85:2 93:21 94:3 105:1
handed [2] 24:15 111:23		judicial [1] 18:19	light [1] 18:4
handling [1] 85:21		julie [1] 1:5	likely [2] 98:5,9
handled [2] 76:24 77:2		july [1] 69:22	limited [4] 5:2,7 85:1 88:2
happen [5] 28:14 31:5 52:11 102:		june [4] 27:21,23 28:11 30:20 31:	line [1] 21:22
2 105:20			list [1] 12:6

Sheila Harkins 1/3/05

literal [1] 18:14	61:2 62:3 63:7 64:4,15,19,19 67:	60:5	okay [36] 4:16 8:2 17:21,24 22:11
little [2] 40:1 87:24	10,17 75:22 92:3 95:13 96:23 97:	necessary [3] 5:19,24 7:24	32:9,15,17,24 33:3 34:25 49:16
living [5] 21:8,14 74:18 77:18 81:8	2,13 99:19	need [12] 22:22 24:17 35:12 45:14	50:1,16 53:18 66:25 68:10 69:11
lip [1] 2:2	memo [3] 87:15 104:13,17	47:8 58:15,15 59:23 88:17 89:1	80:17 83:22 86:2,8,25 87:14,18
long [11] 6:23 11:6,10 24:18 35:16,	memory [3] 47:22 48:3 84:5	106:10 114:10	90:16 93:4,23,25 99:22 100:25
16 39:15 66:5,21 70:7 114:11	men [1] 91:5	needed [1] 35:11	103:2 104:18 111:14 112:2 113:4
look [18] 10:21 17:19 24:17 32:10	mentioned [14] 5:8 54:5 72:7 78:	needn't [1] 40:12	old [1] 14:23
33:4,8 34:12 51:11 84:17 87:3 93:	15,20,22 82:25 83:2,2,3,6,7,8 114:	negativity [1] 100:7	once [6] 31:15,15 45:1,1 53:6 101:
2 97:20 101:2 109:9 113:11 114:4,	22	neither [1] 5:9	11
7,11	mergens [4] 19:3,6,7,10	never [17] 26:15 33:15,17 39:3 51:	one [48] 9:23 11:11 14:23 15:7,10,
looked [6] 29:13 33:15 42:20 71:7	mess [1] 9:4	7,9 52:9,10 68:9,16 72:12 90:22	13 17:1,25 25:10,16 28:2 29:22
88:15 107:16	met [14:13]	101:25 108:8,11 112:9 114:13	30:17 35:12,13 41:22 44:18 47:8
looking [12] 28:8 29:18 33:19 38:	michigan [1] 98:15	new [12] 28:22 29:4 31:3 35:8,11,	48:18 49:22,23 52:12 56:2 59:21,
19 39:4 71:8,9,10 102:14,17,19,23	middle [1] 54:13	12,12,13,15 47:8 48:22 50:14	24 61:19 62:16,17,21 64:9 69:2
lots [1] 70:24	might [5] 34:7 46:7 74:15 81:20	news [1] 3:12	78:4 87:5,19 88:15,20 93:11 94:
lousy [2] 26:13,14	104:22	newspaper [3] 25:8 77:3,3	11,14,24 98:8 100:23 102:9,11
lunch [2] 101:18,19	mike [11] 8:11 30:25 59:1 62:17,23	next [16] 18:14 36:4 37:12 38:18	103:24 104:1 112:10 113:23
M		45:13 46:4,6 48:10 51:22,25 87:	one's [1] 87:24
ma'am [1] 36:20	miller [1] 58:25	19 90:2 92:17 93:2,15 98:24	one-sided [1] 37:5
made [15] 5:10 25:23 28:15 41:21,	mind [4] 23:10 104:24 113:17,19	night [8] 8:15 98:25 99:7,8 110:	ones [5] 10:3 17:16 18:1 42:2 64:
22,24 42:25 43:6 44:16 47:13 50:	minded [1] 74:2	11,21,23	16
13 72:10 84:24 87:12,25	minute [4] 32:12 36:2 66:22 93:9	night's [1] 45:25	only [22] 9:2 22:4 29:22 30:17 36:3
maldonaldo [6] 26:3 36:18 37:10	minutes [8] 42:21 44:21 53:24 68:	nilsen [5] 8:11 67:9,16 71:22 92:4	39:13 41:1 43:2 45:1 47:17 51:9
38:12 45:11 49:25	1,3,5 69:6 94:8	noel [5] 44:16,18 46:1 54:11 83:19	52:8 53:6 57:9,21 71:18 83:19 88:
maldonaldo's [1] 49:12	mischaracterization [1] 38:3	noel's [1] 83:2	15,18 95:9 96:8 107:1
man [2] 37:14 43:11	missing [1] 48:2	nonargumentative [1] 22:2	open [5] 40:16 43:14,17 74:2 104:
manner [1] 22:2	mistake [1] 8:4	nope [3] 67:4 72:1 112:4	24
many [9] 9:19 11:25 26:4,11 39:7,	modern [1] 17:25	nor [1] 5:9	opinion [5] 20:10 74:16,22 75:1,4
7 58:21 71:15 80:14	moment [5] 34:12 49:20 67:24 79:	normal [1] 115:5	80:15
mark [1] 11:18	21 109:9	notary [2] 116:3,21	opinions [3] 74:9 83:13,16
marked [11] 3:9 24:12,16 84:13,15,	monday [8] 31:12,13 41:8 45:25	note [1] 85:2	opposed [2] 25:14 106:24
17 85:18,21 97:21 111:20,23	50:10 99:8	notes [5] 45:12 101:4,6,9 116:11	opposing [1] 5:1
married [1] 14:16	monkey [1] 51:14	nothing [4] 6:13 52:4 115:4,5	opted [2] 30:2 59:3
master's [1] 77:8	monkeys [1] 37:15	november [7] 40:25 41:8 45:6 52:	option [2] 114:15,21
material [1] 30:6	month [8] 11:11 31:12,12,13,16 89:	9 54:7,16 109:7	options [1] 114:17
matter [1] 8:20	21	number [11] 3:9 16:9 25:3,22 71:	order [6] 4:21,24 31:25 86:6 87:5
mckeary [1] 79:10	months [3] 7:18,18 31:14	12 86:13,14 93:3 100:23 111:19,	ordered [3] 30:22,24 64:2
mean [12] 6:14 8:18 16:17 33:2 34:	morality [1] 99:4	24	ordering [2] 63:21 64:4
5 43:7 59:7 61:18 71:7 91:14 92:	morning [7] 4:12 6:8,13,14 16:10	numbers [1] 86:4	orders [1] 30:25
13 108:24	25:17 86:1	O	organism [1] 74:19
meanings [1] 39:7	most [4] 13:1 17:16 74:12,13	oath [1] 5:16	organization [1] 65:4
means [2] 43:4 74:5	motion [2] 44:19 93:16	object [4] 7:4 16:11 61:20 114:18	organizations [1] 89:14
meant [3] 13:21 15:16 109:12	motivated [1] 19:15	objection [24] 7:13 10:13 16:1 18:	organized [1] 10:18
medication [1] 52:13	motivations [1] 94:17	8,17 22:7,9,20 23:1 38:2 68:7 73:	origin [3] 80:4 94:3 104:25
meet [9] 6:7,10,15,18,21 31:10,14	motives [1] 19:20	25 80:6,22 81:3,11 82:2,13 90:7	originally [2] 103:15 108:2
58:21 64:22	mouth [1] 113:11	91:20 94:15 105:14 106:8 108:10	origins [4] 5:3 80:20 85:2 93:21
meeting [57] 8:7,14 16:18 17:4 27:	move [3] 55:16 98:4,9	objections [7] 4:5 22:1,3,6,7,20,	other [65] 7:15 8:7,14 10:3 12:3 14:
23 34:10 35:2,5 36:23 38:23 39:	ms [9] 4:12 5:13 23:19,21,21 24:15	25	25 19:1,2 20:12,12 27:15 35:14
20 40:3 43:14,18 45:3,25 46:13,	51:22 53:21,25	obviously [4] 42:1 75:14 76:20 86:	38:18 40:14 44:8 45:2 47:10,11,
13 47:3 50:9 51:8 53:11 54:7,22	much [2] 35:7 45:1	20	13,19,23 55:5,11,16 58:12 60:16
60:10 61:12 63:3,9 67:13 68:22	mulay [2] 116:3,20	occasionally [1] 26:3	62:3,15 63:4 64:14,15,19 65:1 66:
69:24 72:5,14 73:1 84:3,6,7 85:9,	muslim [1] 40:15	occasions [1] 26:4	7 67:2,20,21 70:15,22 71:5 72:25
15,17 86:10 90:1,9,12 91:8 92:2	muslims [3] 40:13 43:8,17	occurred [1] 35:4	77:24 78:6,18 79:16 84:25 87:13
95:18 97:9,12,17 99:10,20 100:19	must [1] 53:13	october [16] 23:18 28:18 59:25 61:	88:1,17,18,20 89:14 92:2,12,25
109:2,6 111:8 114:25	muster [1] 65:24	15 76:14 82:18 84:4,21 85:6,10	94:1 95:5,7,13,22 96:16,16 104:1
meetings [36] 31:17,20 50:13 54:	myself [4] 14:11 42:14 59:1 62:17	92:23 94:10 97:15,23,25 109:2	105:24 113:12
25 55:5 58:15,17,18,19,21 59:4,12,	myth [3] 33:24 46:9,25	offended [1] 50:12	others [1] 101:9
16 60:14,16 61:2,7,16,17 62:2,4,5,	N	offer [2] 48:23 88:15	otherwise [2] 46:15 99:10
9,12 63:7,8 67:23 68:17 72:25 73:		offers [1] 40:4	out [17] 6:8 21:22 29:18 32:3,5 44:
5 83:7 99:8 100:1 101:4,7 108:16	named [1] 72:6	offhand [1] 107:14	7 56:4 59:9 60:13 72:22 73:21 78:
member [12] 11:2,6 15:6,17 16:22,	names [4] 14:22 79:17 91:6,7	office [5] 8:19 10:6,14,15,16	14 104:13 105:9 106:10,13 114:3
23 32:19 41:15 48:21 75:9,20,21	nature [4] 63:15 71:10 106:24,25	officials [1] 64:20	outside [1] 12:22,24 13:2 61:1,8,
members [28] 12:3 23:18 33:7 35:	necessarily [4] 8:18 49:9 55:21	often [1] 31:10	12,17 63:7 67:22 89:14 92:21
14 36:17 38:19 44:8 46:1 60:20		oftentimes [1] 58:9	over [10] 7:17 24:25 25:5,20 26:24
			45:12 50:14 62:2 63:11 82:22

Sheila Harkins 1/3/05

<p>owe [1] 80:3 owes [1] 80:20 own [8] 21:18 47:7,11,25 55:5,12 106:1,4</p> <hr/> <p>P</p> <p>p.m [1] 115:12 page [3] 19:11,13 39:12 45:13,18 48:10,13,15 51:22,25 86:3,7,14 87:8 93:2,3,13,15,16 98:11,24 99: 14 100:24 101:1 102:11 103:8,8 111:10,12,25 114:7 pages [8] 86:13 109:10,12,20,23 110:4 113:25 114:5 pandas [6] 64:10 69:10 71:6 88:4 106:14 107:20 paper [8] 9:24 10:2,6 25:17 26:1 49:6 50:4 79:5 papers [3] 10:17 107:5,6 paragraph [25] 32:11,18 36:1 37:2, 12 38:18 39:11 40:2,11 45:18,24 46:4,6 50:19 52:1 53:7,10 98:12, 25 99:15 102:5,7,13 104:21 112: 24 paragraphs [5] 33:4 51:11 102:15, 16 103:9 parcel [2] 61:24,24 parent [1] 29:10 parents [3] 30:7 68:15 114:17 part [7] 39:2 46:4,17 110:5,14,18, 19 particular [4] 19:16 20:9 26:23 28: 8 particularly [2] 49:12 111:7 parties [2] 4:3 116:13 parts [3] 70:5 109:25 110:8 passed [5] 65:24 84:8,22 85:5 93: 24 passing [1] 94:10 past [13] 11:12 25:1,20 26:24 27: 22 29:5 45:12,25 53:5 62:2 63:11 101:12,14 patrick [1] 6:19 pennsylvania [6] 16:2 18:18 20:6 116:1,4,16 people [25] 9:12,14 12:4 24:4,8 39: 8 42:7,10,10 47:23 59:12 64:10 65:1 67:22 69:10 75:11,13,14 83: 9 88:4 91:4 94:17 106:14 107:20 112:25 pepper [1] 2:2 per [3] 16:15,16 93:20 perceive [1] 75:15 percent [1] 63:5 perception [3] 83:20,23,25 periodicals [3] 14:13,14 15:22 person [5] 65:22 78:19 79:6,9 91: 1 person's [1] 19:4 personal [3] 23:15 24:5,9 personally [1] 44:5 phone [2] 61:16 90:21 phonetic [1] 79:10 pick [1] 30:10 picked [2] 30:1,15</p>	<p>place [3] 54:14 107:24 116:5 plaintiff's [9] 24:12,16 84:12 85: 18,22 102:14,23 111:20,24 plaintiffs [1] 4:23 planned [2] 86:16 93:18 please [17] 15:10,13 22:6 23:8 34: 12 36:4,7 49:20 86:3,6,6 100:24 109:9,10 111:18 113:23 114:7 pledge [9] 27:4,16 41:3,5,11 42:6, 9,16 43:4 point [6] 7:6 15:9 26:20 53:17 75:8 policy [6] 5:4 19:5 59:17,17,19 65: 8 politically [1] 53:14 portions [2] 24:22 110:4 possession [3] 8:17,18,23 possible [4] 34:7,9 63:9 76:19 possibly [1] 19:20 39:15 74:18,21 prayed [1] 50:21 prayer [1] 99:3 precision [1] 20:11 prentice [1] 32:22 preparation [2] 7:21 85:24 prepare [2] 6:4,14 prepared [1] 114:20 preparing [1] 105:3 present [1] 2:9 8:6 58:24 60:15 64:24 65:1 92:2 94:11,13,24 114: 21 presented [6] 33:9 58:9 60:13 62: 24 88:20 107:8 presenting [2] 88:16 98:14 president [8] 11:8,10,12 12:9 39: 12 54:12 72:22 73:18 press [3] 25:6 26:17 103:15 pressured [1] 97:14 presume [2] 86:5 103:11 pretty [1] 35:7 prevent [1] 52:15 previous [3] 23:5 30:17 62:7 previously [1] 97:21 printed [1] 32:3 prior [1] 13:22 privilege [6] 7:5 20:13,15,15 90: 10 91:21 probably [7] 9:20 17:25 26:8 50:8 54:12 63:12 83:21 problem [4] 63:25 67:18,19 88:12 problems [3] 39:17 59:20 65:10 procedure [4] 4:16 18:22,23 21: 25 proceed [1] 23:2 proceeding [1] 18:20 process [13] 55:18,20,24 56:1,5,8, 14,16,22,23,24 57:25 68:18 produce [2] 10:22 76:16 produced [4] 3:13 85:23 86:1 104: 20 product [1] 82:10 professional [1] 1:19 proficiency [1] 105:4 promised [1] 99:1 promoting [1] 99:4 proper [1] 22:25 proposal [1] 92:13</p>	<p>proposed [3] 32:21 44:18 88:13 proposition [2] 21:14 80:3 protect [2] 20:13 113:2 protection [1] 19:17 provide [3] 9:15,17 77:25 provided [1] 9:2 providing [3] 112:15,18,25 public [7] 43:14,17 52:2 72:10 99: 4 113:3 116:21 publish [3] 10:2 77:4 79:6 published [3] 10:1 50:4 77:2 purpose [17] 5:4,6 19:19,24 62:13 88:13 91:8 94:9 95:12,19,24 96:2, 20,25 97:4 112:24 113:5 purview [1] 42:24 put [7] 4:19 12:5 28:4 30:2 79:4 82: 20 104:13</p> <hr/> <p>Q</p> <p>quaker [2] 16:19,21 qualify [1] 63:19 question [57] 4:6 5:25 7:7,25 10: 14 15:7,8,11 16:5,12 18:9,14,18 20:2,12 22:8,12,21 23:4,6,8 27:20 28:10 33:18 36:18,20,21 52:12 54: 23 59:24 61:18,21,22,23 62:1,8 68:11 72:4 73:2 80:9 81:13 82:7 91:23 92:6,17 94:21 101:24 104: 14,22 105:14,21,23 108:11 109:22 113:17,19 115:6 questioned [1] 18:19 questioning [2] 24:23 95:6 questions [16] 5:14,15,19 15:10, 13 16:9 17:5 34:24 45:16,23 49: 21 82:5 104:9 109:11,13 115:8 quite [1] 25:22 quote [5] 19:14 40:14 51:4 52:7 70: 10 quoted [4] 52:8,10 109:20 111:10 quotes [15] 40:12,16,16,19 42:1 46:8,9 50:11,20,23,23,24 52:1 84: 24 112:23 quoting [3] 19:12 37:12 52:4</p> <hr/> <p>R</p> <p>raise [1] 113:16 raised [3] 72:4,5,13 ran [4] 15:7 65:23,25 66:23 range [1] 69:21 rarely [2] 25:13 26:15 read [70] 14:10 17:10 23:3,5 24:19, 21 25:8,10,12,14 27:7 28:2 33:10 34:13,23 35:1 36:2,3,4,8,9,11 40: 19,20 42:21 43:8 44:20 45:14 46: 9,10 48:14 49:6,9,11,20 50:6,21 54:18,20 61:23,24 62:6,7 70:1,2,5 75:10 79:23,25 84:9 102:5 103:3, 17,19 104:3 107:1,4 109:10,22,23, 25 110:3,5,5,10,12 114:2,8,10,16 reading [19] 14:4,9 18:15 36:15 49: 1,3,22 50:3 51:23 53:4 54:8,13,14, 23 55:8 86:21 110:16,19 112:23 reads [4] 53:8,10 98:25 99:17</p>
--	---	---

Sheila Harkins 1/3/05

69:17 70:9,11,14,18,25 71:2,5 72: 8 75:24 76:22 77:14,23 78:5,11 79:25 83:9,15 84:6 85:9,12,14 86: 21 90:18,20 92:9 95:23 96:6,22, 23 97:2 100:4,12 111:6 remembering [1] 52:16 rephrase [2] 15:11 61:22 reported [8] 26:24 27:14,17,18 28: 3,5 66:18 116:9 reporter [8] 1:19 5:20 13:18 23:5 26:13,14 62:7 116:3 reporting [4] 25:24 26:2 27:4 34: 10 reports [2] 26:15 54:21 represent [4] 32:6 91:9 92:12 113: 20 representation [3] 112:15,18 113: 1 representing [2] 112:12 113:9 reproduction [1] 116:23 reputable [1] 107:16 request [2] 22:5 57:5 required [7] 5:11,14 55:20,21 57: 12 67:25 68:5 res [1] 84:9 reserved [1] 4:6 resolution [30] 8:22 9:9 10:10 28: 18 44:6,19 61:15 64:16 73:19 76: 14 82:18 84:7,9,23 85:5,15 89:11 92:22 94:10 95:14,19,25 96:4,7, 21,25 97:14 100:14 102:3 106:16 respect [3] 102:2 104:23 114:20 respective [1] 4:3 respond [3] 104:11,22 105:11 restraining [1] 4:24 retired [1] 79:13 review [5] 6:12,25 7:2,9 77:13 reviewed [1] 29:22 reviewing [1] 58:12 reviews [4] 56:3,18,19 58:8 revised [2] 98:14 103:14 richard [1] 2:7 rights [1] 50:24 ring [1] 91:11 robes [1] 50:23 role [4] 58:6,11,14 68:18 room [1] 52:25 roots [1] 51:14 rubber [3] 86:5 100:23 113:23 rule [3] 16:4 18:21,23 rules [7] 16:3 18:21 19:2 20:6,8 21: 24,25 run [7] 65:4,7,19 66:8 68:20,22 73: 4 running [1] 114:3 runs [1] 79:7 russell [2] 65:17 67:6	S	13,21,23 40:9,21 46:19,24 51:2 53:3,19 54:13 66:7 91:14 99:11 110:3 says [33] 19:3 22:14,15 32:2,11,18 33:5 34:19 35:10 37:12,14 38:18 39:12 40:2,11 45:24 48:20,20 49: 17 50:9 51:11 52:1 79:14 84:19 86:13 87:17 88:19 89:20 90:1,10 91:1,12 92:1,13 93:1,14 94:1,15 95:1,16 96:1,17 97:1,18 98:1,19 99:1,20 100:1,21 101:1,22 102:1,23 103:1,24 104:1,25 105:1,26 106:1,27 107:1,28 108:1,29 109:1,30 110:1,31 111:1,32 112:1,33 113:1,34 114:1,35 115:1,36 116:1,37 117:1,38 118:1,39 119:1,40 120:1,41 121:1,42 122:1,43 123:1,44 124:1,45 125:1,46 126:1,47 127:1,48 128:1,49 129:1,50 130:1,51 131:1,52 132:1,53 133:1,54 134:1,55 135:1,56 136:1,57 137:1,58 138:1,59 139:1,60 140:1,61 141:1,62 142:1,63 143:1,64 144:1,65 145:1,66 146:1,67 147:1,68 148:1,69 149:1,70 150:1,71 151:1,72 152:1,73 153:1,74 154:1,75 155:1,76 156:1,77 157:1,78 158:1,79 159:1,80 160:1,81 161:1,82 162:1,83 163:1,84 164:1,85 165:1,86 166:1,87 167:1,88 168:1,89 169:1,90 170:1,91 171:1,92 172:1,93 173:1,94 174:1,95 175:1,96 176:1,97 177:1,98 178:1,99 179:1,100 180:1,101 181:1,102 182:1,103 183:1,104 184:1,105 185:1,106 186:1,107 187:1,108 188:1,109 189:1,110 190:1,111 191:1,112 192:1,113 193:1,114 194:1,115 195:1,116 196:1,117 197:1,118 198:1,119 199:1,120 200:1,121 201:1,122 202:1,123 203:1,124 204:1,125 205:1,126 206:1,127 207:1,128 208:1,129 209:1,130 210:1,131 211:1,132 212:1,133 213:1,134 214:1,135 215:1,136 216:1,137 217:1,138 218:1,139 219:1,140 220:1,141 221:1,142 222:1,143 223:1,144 224:1,145 225:1,146 226:1,147 227:1,148 228:1,149 229:1,150 230:1,151 231:1,152 232:1,153 233:1,154 234:1,155 235:1,156 236:1,157 237:1,158 238:1,159 239:1,160 240:1,161 241:1,162 242:1,163 243:1,164 244:1,165 245:1,166 246:1,167 247:1,168 248:1,169 249:1,170 250:1,171 251:1,172 252:1,173 253:1,174 254:1,175 255:1,176 256:1,177 257:1,178 258:1,179 259:1,180 260:1,181 261:1,182 262:1,183 263:1,184 264:1,185 265:1,186 266:1,187 267:1,188 268:1,189 269:1,190 270:1,191 271:1,192 272:1,193 273:1,194 274:1,195 275:1,196 276:1,197 277:1,198 278:1,199 279:1,200 280:1,201 281:1,202 282:1,203 283:1,204 284:1,205 285:1,206 286:1,207 287:1,208 288:1,209 289:1,210 290:1,211 291:1,212 292:1,213 293:1,214 294:1,215 295:1,216 296:1,217 297:1,218 298:1,219 299:1,220 300:1,221 301:1,222 302:1,223 303:1,224 304:1,225 305:1,226 306:1,227 307:1,228 308:1,229 309:1,230 310:1,231 311:1,232 312:1,233 313:1,234 314:1,235 315:1,236 316:1,237 317:1,238 318:1,239 319:1,240 320:1,241 321:1,242 322:1,243 323:1,244 324:1,245 325:1,246 326:1,247 327:1,248 328:1,249 329:1,250 330:1,251 331:1,252 332:1,253 333:1,254 334:1,255 335:1,256 336:1,257 337:1,258 338:1,259 339:1,260 340:1,261 341:1,262 342:1,263 343:1,264 344:1,265 345:1,266 346:1,267 347:1,268 348:1,269 349:1,270 350:1,271 351:1,272 352:1,273 353:1,274 354:1,275 355:1,276 356:1,277 357:1,278 358:1,279 359:1,280 360:1,281 361:1,282 362:1,283 363:1,284 364:1,285 365:1,286 366:1,287 367:1,288 368:1,289 369:1,290 370:1,291 371:1,292 372:1,293 373:1,294 374:1,295 375:1,296 376:1,297 377:1,298 378:1,299 379:1,300 380:1,301 381:1,302 382:1,303 383:1,304 384:1,305 385:1,306 386:1,307 387:1,308 388:1,309 389:1,310 390:1,311 391:1,312 392:1,313 393:1,314 394:1,315 395:1,316 396:1,317 397:1,318 398:1,319 399:1,320 400:1,321 401:1,322 402:1,323 403:1,324 404:1,325 405:1,326 406:1,327 407:1,328 408:1,329 409:1,330 410:1,331 411:1,332 412:1,333 413:1,334 414:1,335 415:1,336 416:1,337 417:1,338 418:1,339 419:1,340 420:1,341 421:1,342 422:1,343 423:1,344 424:1,345 425:1,346 426:1,347 427:1,348 428:1,349 429:1,350 430:1,351 431:1,352 432:1,353 433:1,354 434:1,355 435:1,356 436:1,357 437:1,358 438:1,359 439:1,360 440:1,361 441:1,362 442:1,363 443:1,364 444:1,365 445:1,366 446:1,367 447:1,368 448:1,369 449:1,370 450:1,371 451:1,372 452:1,373 453:1,374 454:1,375 455:1,376 456:1,377 457:1,378 458:1,379 459:1,380 460:1,381 461:1,382 462:1,383 463:1,384 464:1,385 465:1,386 466:1,387 467:1,388 468:1,389 469:1,390 470:1,391 471:1,392 472:1,393 473:1,394 474:1,395 475:1,396 476:1,397 477:1,398 478:1,399 479:1,400 480:1,401 481:1,402 482:1,403 483:1,404 484:1,405 485:1,406 486:1,407 487:1,408 488:1,409 489:1,410 490:1,411 491:1,412 492:1,413 493:1,414 494:1,415 495:1,416 496:1,417 497:1,418 498:1,419 499:1,420 500:1,421 501:1,422 502:1,423 503:1,424 504:1,425 505:1,426 506:1,427 507:1,428 508:1,429 509:1,430 510:1,431 511:1,432 512:1,433 513:1,434 514:1,435 515:1,436 516:1,437 517:1,438 518:1,439 519:1,440 520:1,441 521:1,442 522:1,4
--	---	---

Sheila Harkins 1/3/05

<p>text [2] 46:4,17 textbook [24] 28:3,23 29:2,4,11,16 31:19 32:22 35:5,11,15 36:17 47: 4,7,11,20,24 55:1,10,12 61:13 63: 16,21 64:18 textbooks [1] 29:18 theirs [1] 112:9 theories [9] 39:14,16 46:16 85:1 87:13 88:1,17,20 theory [34] 8:22 9:9 10:11 17:7 20: 22,24,25 21:2,7,13,18,21 22:13 23: 10,14 24:4,10 46:3 48:24 61:13 63:17 64:17 81:16 84:25 87:13 88: 1,16,18,24 94:11,14,24 104:23 107:2 there's [20] 24:16 25:24 32:1 53:7, 10,55:24 56:18,22,23 57:8 81:25 86:3 87:10,20 97:22 98:7 102:15, 15 111:10 113:25 thesis [1] 77:8 they've [1] 104:11 thinking [10] 14:23 58:23 59:9 62: 21,23,23 76:6 83:19 95:4 96:18 third [3] 36:1 37:2 45:24 thirty [1] 66:6 thomas [10] 89:10,23 90:1 99:2 111:25 112:12,22 113:6,8,20 thompson [59] 2:7 4:18 6:19 7:4, 13 8:7 10:13 16:1,11 17:22 18:8, 17,25 19:3,8,12 20:4,14,20 21:16 22:10 28:7 34:14 38:2 43:24 49: 25 52:19 61:20 68:7,11 73:25 80: 6,13,22,24 81:3,11 82:2,13 90:2,7, 15 91:10,11,12,15,20 93:10 94:15 98:2 101:12,18 102:20 104:21 105:6,14 106:8 108:10 115:6 thompson's [1] 17:24 three [6] 9:21 18:1 33:4 84:23 85:6 93:24 throughout [4] 9:4 12:21 23:1 24: 23 </p> <p>tina [2] 14:23 15:2 tiniest [1] 74:19 tired [1] 26:20 title [2] 98:2,4 today [13] 4:14,20 7:11 8:14,19 15: 9 22:5 52:13,17 69:16 77:15 110: 6 115:11 today's [1] 6:5 tomorrow [1] 74:16 tone [3] 53:12,22 60:10 tonight [2] 114:25 115:3 took [2] 13:17 32:6 top [1] 103:8 topics [2] 26:11 27:19 totally [2] 27:13 83:18 towards [1] 100:8 trace [1] 51:13 transcript [1] 116:23 transpire [1] 5:4 trial [1] 4:6 tried [1] 79:4 true [10] 28:6,12,24 35:7 38:25 39: 1 69:5 99:23 105:13,13 try [2] 8:2 80:8 </p>	<p>trying [9] 32:12 38:6 43:4 57:24 71: 3 75:18 78:9 79:19 91:15 tuesday [1] 31:11 98:25 99:7,7 turbines [1] 13:9 turn [14] 20:16 31:23,25 45:13 48: 10 84:19 86:3,7 93:13,14 98:10, 24 99:14 100:24 turns [1] 11:19 twice [1] 22:12 two [19] 1:17 6:24 12:3 29:1,8,9 39: 14 51:11 58:23 59:13 62:5 63:8 91:4,4,5 98:7 111:11 113:25 114: 5 type [1] 104:13</p> <p style="text-align: center;">U</p> <p>ultimately [1] 57:12 um-hum [4] 49:19 64:13 91:2 106: 20 under [12] 20:8,9 27:4,16 37:3 41: 3,5,14 42:6,9,16 43:4 understand [24] 4:16 5:17,21,22 6:2 8:6 11:20 15:10 16:16 23:24 24:1 38:10 42:7 47:18 48:1 56:8, 20,22 61:5 75:6 82:7,9 94:23 105: 21 understanding [25] 4:25 5:6 21:6, 12 22:13 39:9 56:15,25 57:14,16 73:8,23 74:7,23 75:5 80:19,25 81: 7,15 102:1 104:2 105:15,17 113:8, 13 understood [2] 54:3 84:2 unfamiliar [1] 105:25 united [1] 1:1 unless [3] 7:7 52:24 107:9 unsolicited [3] 78:6,7,17 up [13] 22:24 25:2,23 28:17 30:5,9 41:10,18 44:6,8 50:21 65:24 69: 14 using [2] 29:20 30:5</p> <p style="text-align: center;">V</p> <p>v-o-i-t-h [1] 13:20 vague [4] 48:6,8 105:14 106:8 valuable [1] 19:16 varied [1] 73:11 vast [1] 61:18 verbally [1] 65:23 verses [3] 52:4,8 53:4 version [1] 17:14 versions [1] 17:20 versus [2] 19:9 20:10 view [7] 44:4,5 95:1,2,3 96:8,16 viewed [2] 83:17,18 views [16] 17:6 23:11,16 24:6,9,9 40:5,14 47:7,11 83:13,15 96:6,12, 24 97:3 violate [1] 46:7 visited [3] 112:5,8,10 voith [4] 13:5,7,8,19 vote [2] 84:23 85:6 voted [1] 95:13 voting [1] 44:7</p> <p style="text-align: center;">W</p> <p>wait [5] 5:24 32:12 36:2 62:16 93:9</p>	<p>waived [1] 4:4 wanted [21] 5:2 10:1 14:2 7 56:4,12 62:25 63:1 64:2,9 65:4,12 66:8 77: 2 91:9 92:12 95:22 96:3 99:16 113:12 work [2] 12:22 57:6 worked [4] 12:24 13:1,5 60:13 works [3] 56:16,24 57:14 worthy [1] 19:17 wow [1] 61:18 write [2] 5:21 6:1 writes [2] 37:11 38:12 writing [2] 65:18,22 written [1] 34:22</p> <p style="text-align: center;">X</p> <p>xi-a [2] 93:20 94:2 xi-b [2] 87:6,8 xi-c [1] 93:5</p> <p style="text-align: center;">Y</p> <p>year [20] 12:5,10,21 25:1,5,20 26: 24 27:22 29:5,14 40:25 41:8 51:9 52:9 53:5 58:3,19 62:2 63:11 93: 20 years [7] 11:7 29:8,9 42:25 43:11</p>
---	--	---